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ABSTRACT

Section I of this document highlights the major changes proposed by the American Vocational Association Board of Directors in its final reauthorization document. The Board's position is that the Carl D. Perkins Vocational Education Act should be reauthorized with modest modifications and increased funding authority; qualified federal staff with specific responsibility to administer quality federal vocational programs should be mandated; the sole state agency concept should be continued; the balance between program improvement funds and funds for special populations should be maintained; basic education skills should be integrated into the vocational education curriculum; the importance of vocational student organizations should be emphasized; assistance should be maintained for community-based organizations serving disadvantaged youth, consumer and homemaking education, and career guidance and vocational counseling; business-industry-labor-education partnerships should be emphasized; the Tech-Prep Education Act should be integrated into the Perkins Act; and funding should be provided for a new Vocational Education Personnel Development Assistance Program, Curriculum Coordination Centers, and limited English proficiency vocational training. Section II indicates proposed changes in the actual text of the bill. (YLB)

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ISSUE PAPER

The AVA position on reauthorization of the Carl D. Perkins Vocational Education Act of 1984

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REAUTHORIZATION POSITIONS

OF THE

AMERICAN VOCATIONAL ASSOCIATION

REGARDING

THE CARL D. PERKINS

VOCATIONAL EDUCATION ACT OF 1984

Revised as of January 12, 1989

Section I — Summary of AVA Board positions regarding the reauthorization of the Carl D. Perkins Vocational Education Act of 1984

Section II — Proposed changes in actual text of bill

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Section I

SUMMARY OF AVA BOARD OF DIRECTORS POSITIONS REGARDING THE REAUTHORIZATION OF THE CARL D. PERKINS VOCATIONAL EDUCATION ACT OF 1984

In order to provide Congress with a thorough summary of professional views concerning the reauthorization of the Carl D. Perkins Vocational Education Act of 1984, the American Vocational Association (AVA), nationally representing some 45,000 vocational educators, has conducted over the past two years an extensive, open process seeking areas of consensus. Early in 1987, some 150 representatives of local, state and national education agencies, organizations, and associations responded to AVA's request for suggestions for improving the Perkins Act. Those responses were consolidated into position statements which the AVA Board of Directors reviewed at its July, 1987 Board meeting. A draft bill was subsequently developed, circulated throughout the professional community, reviewed, and revised at successive Board meetings. After eight drafts and more than 750 written responses, the Board approved a final draft bill in December, 1988. This summary highlights the major changes proposed by the Board in its final reauthorization document.

Authorization and Funding

The AVA Board supports the continuation of the Carl D. Perkins Vocational Education Act of 1984 and urges its reauthorization with modest modifications and increased funding authority to account for inflation and expanded responsibilities. The Board further suggests that the Federal leadership role in vocational education be an on-going one.

AVA's proposed bill would increase all authorization levels sufficient to account for inflation since 1984 and would provide an "open-ended" authorization period like that already enjoyed by the Job Training Partnership Act (JTPA). Now the Perkins Act expires every three or four years; under the AVA proposal, the Perkins Act would not have a specific expiration date. This should aid state and local administration by assuring the continuing presence of Federal leadership and assistance. In addition, the AVA bill would eliminate the current two percent set-aside of state basic grant funds for national programs and, instead, give each of the title IV national programs its own separate authorization. This should increase the flow of funds to the states without adversely affecting national leadership.

Federal Governance/Administrative Changes

The AVA Board sees a need to strengthen vocational education as a priority within the Department of Education and to assure consistency in its year-to-year operation, especially given the Administration's FY 1988 proposal to terminate Federal funding for vocational education altogether and the total absence of vocational education in past-Secretary of Education Bennett's proposed model high school curriculum. Strong Federal leadership for vocational education should not be contingent on political expediency or executive discretion. The presence of qualified Federal staff with specific responsibility to administer quality Federal vocational programs should be mandated.

AVA's bill would provide that the Office of Vocational and Adult Education (OVAE) be authorized within the Perkins Act to stand as a visible advocate within the Department of Education. Essential functions necessary to run the Office would be spelled-out and transferred from the Secretary of Education to the Assistant Secretary. Future Presidents would be required to nominate Assistant Secretaries possessing a vocational education background and key professional staff would be required to be qualified by experience.

Sole State Agency and State Governance

The AVA Board supports the continuation of the sole state agency concept and suggests that the law provide for a closer relationship between the sex equity coordinator and vocational education. The Board further supports placing provisions in the law assuring the presence of qualified State level staff.

AVA's proposed bill would retain the sole state agency provisions of current law. It would provide that the sex equity coordinator be a full-time position and allowed to have sufficient staff, as determined by the state director of vocational education, under whose supervision the coordinator would work in order to avoid administrative isolation. The bill also proposes that the current mandate for the coordinator to administer single parent and homemaker programs, as well as the sex equity program, be discretionary in order to maximize resources in the area of sex equity and expand administrative flexibility. AVA's bill would require that the state director of vocational education be qualified by relevant experience.

Special Populations and Program Improvement Set—Asides

The AVA Board supports the continuation of a balance between program improvement funds and funds for special populations in Title II.

AVA's bill would maintain the existing balance of Title II funds at 57 percent for special populations (Part A) and 43 percent for program improvement (Part B). Of sums allocated for disadvantaged and handicapped populations, 5 percent would be available for statewide programs including model demonstration programs, teacher education and skill upgrading, technical assistance for local program development, applied research and development, and curriculum adaptation/revision. Existing set-asides for special populations authorized in Part A would be maintained, but to promote state program consistency and allow for state-to-state differences in need among special population groups, states, with the approval of the Assistant Secretary, would be able to transfer up to 20 percent of any one category to another category.

Secondary and Postsecondary Vocational Education

The AVA Board supports a guarantee of some Federally supported secondary and postsecondary vocational education activity in each state, especially for the purpose of encouraging articulation.

The AVA draft bill proposes that, of each state grant allotment under Title II, at least 25 percent be available for programs of secondary vocational education and at least 25 percent be available for programs of postsecondary vocational education, including education for adults, especially in out-of-school settings.

Integration of Basic Education Skills

The AVA Board supports the integration of basic education skills into the vocational education curriculum and also believes that, when successfully accomplished, academic credit should be granted for those courses.

AVA's bill would continue to allow States to use a portion of their allotment for basic skills instruction which reinforces core academic competencies. It further encourages state and local education agencies to grant academic credit for those vocational education courses into which core academic competencies have been successfully integrated.

Vocational Student Organizations

The AVA Board supports making specific references within the law to vocational student organizations as an integral part of vocational education.

AVA's bill would emphasize the importance of vocational student organizations. It would provide that Federal staff be required to have an understanding of vocational student organizations and that, in selecting individuals to serve on state councils, due consideration be given to student members of vocational student organizations. It would further provide that at least one member of the National Council on Vocational Education be a student active in student organizations. The bill also suggests that state plans, among other things, examine the availability of
vocational student organization activities throughout the state.

Community—Based Organizations Serving Disadvantaged Youth

The AVA Board believes that community-based organizations can play an increasingly important role in providing vocational services to hard to reach youth and supports the continuation of assistance for vocational education programs for disadvantaged youth carried out by community-based organizations.

AVA's bill would maintain assistance for community-based organizations serving disadvantaged youth as a special initiative under Part A of Title III. It would expand authority to carry out model programs suitable for replication utilizing vocational education approaches to prevent youth from dropping out of school or to promote their re-entry.

Consumer and Homemaking Education

The AVA Board supports the continuation of a separate authorization for Consumer and Homemaking Education within Title III, Part B Special Programs and supports addressing a number of national priorities and emerging concerns through such education.

AVA's bill would clarify that consumer and homemaking education plays an important teaching role in the areas of balancing work and family, parenting, family and individual health, child abuse prevention, teen pregnancy prevention, and assisting at-risk populations. In addition, model programs carrying out these and other purposes would be listed among those eligible for Title IV-Cooperative Demonstration Program funding.

Career Guidance and Vocational Counseling

The AVA Board supports the continuation of a separate authorization for career guidance and vocational counseling as a Title III, Part D Special Program and suggests that the law provide for strong career guidance and vocational counseling linkages throughout the Act.

AVA's bill would maintain Title III, Part D, as a separate authorization and increase its authorization from $1 million to $30 million beginning in fiscal year 1990. It would further require state-level leadership and supervision for career guidance, vocational counseling, and placement programs and update the existing "hold harmless" provision so states will maintain current efforts. About 20 percent of Title III-D funds would be used for research and demonstration projects to establish, implement, or demonstrate student/client outcome standards.

Business—Industry—Labor—Education Cooperation

The AVA Board supports increased authority within the law to promote and stimulate greater cooperation and coordination between business, industry, labor, and vocational education. New emphasis is encouraged on cooperation with small business.

AVA's bill would place substantial emphasis on business-industry-labor-education partnerships. The Assistant Secretary, in developing regulations would be required to convene regional meetings where input from business, industry, and labor would be required. Additional involvement would be specified with community-based organizations serving disadvantaged youth. Also, within the existing Title III-Part E Special Program for Industry-Education Partnerships, a new requirement would be added for business and industry to be actively involved in planning and operating programs funded through such partnerships and a new
activity would be allowed to encourage collaboration between small business and vocational education to develop high technology skills relevant to the needs of small business.

Tech—Prep Education Programs and Articulation

The AVA Board endorses the concept of Tech-Prep Education programs as proposed in H. R. 22, suggests that the concept be integrated into the Perkins Act itself, and supports other articulation efforts among various secondary and postsecondary vocational education institutions.

AVA's bill would integrate the Tech-Prep Education Act into the Perkins Act as a new Part F under Title III--Special Programs. AVA's bill also proposes that local applications for assistance be required to describe local efforts to encourage secondary and postsecondary articulation. These might include the creation of local vocational instructional program advisory committees and the development of technical preparatory/associate degree programs for occupational education programs begun in the junior year of high school and completed in a technical institute or community or junior college. Articulation programs would also be specifically cited among appropriate uses of funds within Title II-Part B Program Improvement activities and other Title III programs.

Accountability And The National Vocational Education Data System

The AVA Board supports increased funding for national research to provide increased program accountability and increased dissemination of findings regarding curriculum development, program improvement and innovation, and teacher education. As one important means to address these needs, the Board supports the reinvigoration of the National Vocational Education Data System.

AVA's bill would establish and support up to ten leadership research institutes to improve the ability of vocational education to better train teachers and prepare the field to respond to the needs of the labor market and special populations. It would also reestablish the National Vocational Education Data System with new requirements to assure broad representation in the design of the system and to guarantee the relevance of gathered data to state and local planning needs.

Professional Development

The AVA Board supports the provision of funds to train potential vocational/technical education leaders and develop teacher personnel.

AVA's bill proposes a new Vocational Education Personnel Development Assistance program in Title IV to provide opportunities: 1) for experienced vocational educators to spend time in advanced studies; 2) for vocational educators to upgrade their skills; 3) for certified teachers trained in other fields and for persons in business and industry with useful skills to become vocational educators; and 4) for gifted and talented vocational education students to intern in Federal and state agencies, research institutions, and policy-making organizations. The proposed authorization of up to ten leadership research institutes in Title IV would also help address specific problems in teacher education.

Curriculum Development

The AVA Board supports providing specific funding for Curriculum Coordination Centers.

AVA'S bill would create a new section in Title IV establishing in law the existing National Network on Curriculum Coordination in Vocational and Technical Education. It would continue the current six regional curriculum coordination centers and would require that at least $1 million be available each year to fund the centers.

Minority Instructor Recruitment

The AVA Board supports Federally sponsored efforts to attract vocational education instructors and administrators from minority groups and other special populations.

AVA's bill would provide, as part of personnel development, that special emphasis be placed on recruiting more instructors from minority groups, as well as educators with skills and experience teaching persons with limited English proficiency. The bill would further provide a new cooperative demonstration program designed to develop ways to attract qualified individuals, especially minorities, to full-time study and preparation for leadership within the field of vocational education.

Limited English Proficiency Vocational Training

The AVA Board recognizes the need for increased access to vocational education on the part of those with limited English proficiency.

AVA's bill would authorized a new program of targeted assistance for persons with limited English proficiency. Among other things, the program would provide: 1) vocational education, training and worksite programs which integrate English language instruction into the curriculum; 2) vocational skill training for finding and keeping a job, designed specifically for persons with limited English proficiency; and, 3) special services which address the barriers imposed by cultural and language differences.

Section II

Editor's Note: [Text in brackets is to be deleted.] *Underlined text is new language to be added.*

Public Law 98-524 — Oct. 19, 1984

(Reflects subsequent changes to the Act through and including P.L. 100-297, The Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988 and P.L. 100-418, The Omnibus Trade and Competitive Act of 1988.)

An Act

To amend the Vocational Education Act of 1963 to strengthen and expand the economic base of the Nation, develop human resources, reduce structural unemployment, increase productivity, and strengthen the Nation's defense capabilities by assisting the States to expand, improve, and update high-quality programs of vocational-technical education, and for other purposes.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of December 18, 1963 (Public Law 88-210) is amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Short Title

Section 1. This Act may be cited as the "Carl D. Perkins Vocational-Technical Education Act Amendments of 1989."

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Statement of Purpose

Sec. 2. It is the purpose of this Act to--

(1) [assist] **provide on-going assistance to** States to expand, improve, modernize, and develop quality vocational education programs **and personnel** in order to meet the needs of the Nation's existing and future work force for marketable skills and to improve productivity and promote economic growth;

(2) assure that individuals who are inadequately served under vocational education programs are assured access to quality vocational education programs, especially individuals who are **representative of racial or ethnic minorities, women,** disadvantaged, who are handicapped, men and women who are entering nontraditional occupations, adults who are in need of training and retraining, individuals who are single parents**, especially women,** or homemakers, individuals with limited English proficiency, and individuals**, especially juveniles,** who are incarcerated in correctional institutions;

(3) promote greater cooperation between public agencies and the private sector in preparing individuals for employment, in promoting the quality of vocational education in the States, **in striving to meet national economic priorities,** and in making the vocational system more responsive to the labor market in the States;

(4) improve the academic foundations of **secondary and postsecondary** vocational students and to aid in the application of newer technologies (including the use of computers) in terms of employment or occupational goals;

(5) provide vocational education services **which are employment related and job specific** to train, retrain, and upgrade employed and unemployed workers in new skills for which there is a demand in that State or employment market;

(6) assist the most economically depressed areas of a State to raise employment and occupational competencies of its citizens;

(7) [to] assist the State to utilize a full range of supportive services, special programs, and guidance counseling and placement to achieve the basic purposes of this Act **and to prevent school dropouts and promote their re-entry**;

(8) improve the effectiveness of consumer and homemaking education and to reduce the limiting effects of sex-role stereotyping on occupations, job skills, levels of competency, and careers; and

(9) authorize national programs designed to meet designated vocational education needs and to strengthen the vocational education research process[.]**; and**

(10) assure that disadvantaged parents who are dependent upon assistance from Aid to Families with Dependent Children are assured access to quality vocational education programs, including secondary, postsecondary, and skills training programs, in order to improve their employability and promote independence.

Authorization of Appropriations

Sec. 3. (a) There are authorized to be appropriated [$835,300,000] **$1,070,000,000** for the fiscal year [1985] **1990** and such sums as may be necessary for each [of the fiscal years 1986 through 1989] **succeeding fiscal year** to carry out the provisions of titles I (other than section [112] **122**)[,] and II**,** [, and IV (other than part E) of this act.]

(b)(1) There are authorized to be appropriated [$15,000,000] **$19,200,000** for the fiscal year [1985] **1990** and such sums as may be necessary for each [of the fiscal years 1986 through 1989] **succeeding fiscal year** to carry out Part A of title III, relating to State assistance for vocational education support programs by community-based organizations.

(2) There are authorized to be appropriated [$32,000,000] **$50,000,000** for the fiscal year [1985] **1990** and such sums as may be necessary for each [of the fiscal years 1986 through 1989] **succeeding fiscal year** to carry out Part B of title III relating to consumer and homemaking education.

(3)(A)(i) There are authorized to be appropriated $35,000,000 for the fiscal year 1985, such sums as may be necessary for each of the fiscal years 1986 and 1987, [and] $25,000,000 for each of the fiscal years 1988 and 1989**, $44,800,000 for fiscal year 1990, and such sums as may be necessary for each succeeding fiscal year** to carry out subpart 1 of part C of title III, relating to the basic program for adult training, retraining, and employment development.

(ii) There are authorized to be appropriated $25,000,000 for each of the fiscal years 1988 and 1989**, $30,000,000 for fiscal year 1990, and such sums as may be necessary for each succeeding fiscal year** to carry out subpart 2 of such part, relating to the special program for adult training, retraininig, and employment development

(B) Of the amount appropriated in each fiscal year pursuant to subparagraph (A)**(**i**)** 50 percent shall be available in each fiscal year for the purpose described in section 201(b)(4), except that the amount made available by this subparagraph for [fiscal years 1986 through 1989] **fiscal year 1990 and each succeeding fiscal year** shall not exceed [$30,000,000] **$38,400,000** in any fiscal year.

(C) There are authorized to be appropriated an additional $15,000,000 for the fiscal year 1990 and such sums as may be necessary for each succeeding fiscal year to carry out Part C of Title III for workers described in Section 322(c).

(4) There are authorized to be appropriated [$1,000,000] **$30,000,000** for the fiscal year [1985] **1990** and such sums as may be necessary for each [of the fiscal years 1986 through 1989] **succeeding fiscal year** to carry out Part D of Title III, relating to career guidance and **vocational** counseling.

(5)(A) There are authorized to be appropriated [$20,000,000] **$50,000,000** for the fiscal year [1985] **1990** and such sums as may be necessary for [fiscal years 1986 through 1989] **each succeeding fiscal year** to carry out Part E of title III, relating to industry-education partnerships for training in high-technology occupations.

(B) There are authorized to be appropriated an additional $10,000,000 for each of the fiscal years 1988 and 1989**, $15,000,000 for fiscal year 1990, and such sums as are necessary for each succeeding fiscal year** to carry out part E of title III, for workers described in section 343(d).

(f) There are authorized to be appropriated $200,000,000 for the fiscal year 1990 and such sums as may be necessary for each succeeding fiscal year to carry out Part F of Title III, relating to tech-prep education programs.

(c) There are authorized to be appropriated [$8,000,000] **$10,200,000** for the fiscal year [1985] **1990** and such sums as may be necessary for each [of the fiscal years 1986 through 1989] **succeeding fiscal year** for section [112] **122** of title I, relating to State councils on vocational education.

(d) There are authorized to be appropriated $25,000,000 for the fiscal year 1990 and such sums as may be necessary for each succeeding fiscal year to carry out Part A of title IV, relating to research and professional development.

(e) There are authorized to be appropriated $20,000,000 for the fiscal year 1990 and such sums as may be necessary for each succeeding fiscal year to carry out Part B of title IV, relating to cooperative demonstration programs.

(f) There are authorized to be appropriated $20,000,000 for the fiscal year 1990 and such sums as may be necessary for each succeeding fiscal year to carry out Part C of title IV, relating to vocational education and occupational information data systems.

(g) There are authorized to be appropriated $650,000 for the fiscal year 1990 and such sums as may be necessary for each succeeding fiscal year to carry out Part D of title IV, relating to the National Council on Vocational Education.

[(d)] **(h)** There are authorized to be appropriated [$3,700,000] **$40,000,000** for the fiscal year [1985] **1990** and such sums as may be necessary for [the fiscal years 1986 through 1989] **each succeeding fiscal year** to carry out Part E of title IV, relating to bilingual **and limited English proficiency** vocational training programs.

[(e) From the funds appropriated pursuant to subsection (a) for each fiscal year, 2 percent shall be available to carry out the provisions of Title IV (other than part E), relating to national programs.]

TITLE I--[VOCATIONAL ASSISTANCE TO THE STATES]
VOCATIONAL AND ADULT EDUCATION

Part A--Office of Vocational and Adult Education

Establishment of Office

Sec. 101(a) There is hereby established an Office of Vocational and Adult Education (hereinafter in this Act referred to as the "Office") within the Department of Education under the general authority of the Secretary of Education (hereinafter in this Act referred to as the "Secretary").

(b)(1) The Office shall be headed by an Assistant Secretary for Vocational and Adult Education (hereinafter in this Act referred to as the "Assistant Secretary"), appointed by the President with the advice and consent of the Senate, from among individuals having a comprehensive background in vocational-technical and adult education as demonstrated by preparation, work experience, and recognized professional achievement. There shall be a direct reporting relationship between the Assistant Secretary and the Secretary. The Secretary shall not approve or require any delegation of the functions of the Assistant Secretary to any office not directly responsible to the Assistant Secretary nor to any of its grantees or contractors.

(2) The Office shall be the agency for carrying out this Act.

Purpose

Sec. 102 It shall be the purpose of the Office of Vocational and Adult Education to--

(a) provide national leadership in the improvement and expansion of vocational education, as defined in this Act, so that significant contributions may be made by the enterprise toward the goal of preparing the national workforce to function effectively in a competitive and highly technological economy;

(b) encourage the strengthening of State Vocational Education Agencies and the greater involvement of the private sector, both profit and nonprofit; and

(c) administer all aspects of this Act in such a balanced manner as to assure the States and other participating entities of maximum decision-making flexibility consistent with its requirements and to assure the Congress of basic compliance with these requirements.

Functions of the Assistant Secretary

Sec. 103(a) In carrying out the functions of this Act, it shall be the duty and function of the Assistant Secretary to--

(1) serve as the effective and visible advocate for vocational and adult education within the Department of Education and with other departments, agencies, and instrumentalities of the Federal Government by maintaining active review and commenting responsibilities over all Federal policies affecting vocational and adult education and training;

(2) deliver services to the vocational education enterprise by--

(A) providing expert technical assistance in instructional program content and in management procedures that may be necessary to achieve the purposes of this Act, including industrial arts/technology education, vocational agricultural education, business education, career guidance and vocational counseling, health occupations education, home economics education, marketing education, technical education, trade and industrial education, administration, apprenticeship training, adult vocational training, cooperative work experience education, sex equity coordination, as well as vocational education and training for individuals who are handicapped, disadvantaged, limited English proficient, adults in need of training or retraining, single parents, homemakers and single pregnant women, participants in programs to eliminate sex bias and stereotyping, criminal and delinquent offenders, and professional development;

(B) convening regional meetings which shall provide input to the Assistant Secretary on the content of proposed regulations and which shall include representatives of Federal, State, and local administrators, representatives of business, industry, and labor, parents, teachers, students, and members of State and local boards of education involved with implementation of local educational programs under title II of this Act;

(C) prescribing regulations consistent with this Act to award, administer, modify, evaluate, reject, or deny all grants and applications and plans for funds made available under this Act; and

(D) administering discretionary grants and contracts for applied research development, demonstration and dissemination;

(3) provide for the measurement and certification of compliance with all mandated requirements of this Act, by States and other direct recipients of funds under this Act, through such actions as--

(A) reviewing and approving plans and reports;

(B) performing comprehensive programmatic audits in the States and at the worksites of other entities receiving direct funding under this Act;

(C) preparing analyses of strengths and weaknesses of State programs, services, and activities under this Act, together with non-binding recommendations for improvement of such programs, services and activities;

(D) resolving financial audits; and

(E) acquiring needed data pertinent to these matters that are unavailable from other sources;

(4) act in concert with efforts of other agencies, organizations, firms, and individuals whose objectives generally meet the purposes of this Act, including other Federal departments having workforce training responsibilities;

(5) perform comprehensive evaluation of programs, services, and activities funded under this Act, on a nationwide basis, and prepare such reports as are mandated by this Act or requested by the Congress, or that prove useful to other agencies, organizations and individuals.

(b) In executing the duties and functions of the Office under this Act and carrying out the programs and activities provided for by this Act, the Assistant Secretary shall take all possible steps to encourage and permit voluntary groups active in vocational and adult education, especially vocational student organizations active at the secondary or postsecondary levels, to participate and be involved individually or through representative groups in such programs or activities, to the maximum extent feasible, through the performance of advisory or consultative functions, and in other appropriate ways.

Staffing and Personnel

Sec. 104(a) The Office shall acquire, maintain, and provide appropriate resources for, a staff that is sufficient in number and qualifications to perform, fully and optimally, all of the foregoing functions under this Act. All vocational education staff shall have--

(1) relevant experience in vocational education and in needed areas of specialization;

(2) familiarity with vocational education operations at the State and local level; and

(3) understanding of vocational student organizations.

(b) At the minimum, under the direction of the Assistant Secretary, such staff shall plan, undertake, and complete the following required activities--

(1) perform all State plan, progress report, and strength-and-weakness reviews in close cooperation with the grantees, and consistent with any time periods specified by this Act;

(2) clear all pending audits in a prompt and efficient manner;

(3) conduct comprehensive programmatic audits in each of the participating States and territories at least once during each planning cycle, including the preparation of detailed guidelines and manuals as may be appropriate;

(4) provide States and local education agencies with technical assistance in the design and administration of vocational instructional programs and support services and conduct a minimum of four major, state-level technical assistance efforts in instructional programs content, annually, in each of the major occupational fields specified in this Act, and an additional four, annually, in appropriate management procedures;

(5) conduct on-site audit exception prevention programs in each of the participating States and territories, at least once during each planning cycle and sufficiently in advance of scheduled audits, including the preparation of detailed guidelines and manuals, as may be appropriate;

(6) conduct at least two on-site reviews, per year, of funding for each project funded with discretionary monies under this Act, other than any National Center program, and, at least four reviews for any such National Center program; and

(7) conduct at least one national and four regional conferences on leadership and personnel development and cooperative demonstration results aimed at program improvement.

(c) The Assistant Secretary is authorized to appoint, for terms not to exceed three years, without regard to the provisions of Title 5 of the United States Code governing appointment in the competitive service, and may compensate without regard to the provisions of Chapter 51 and subchapter III of Chapter 53 of such title relating to classifications and General Schedule pay rates, such supplementary technical or professional employees of the Office as the Assistant Secretary deems necessary to assist its permanent vocational staff in accomplishing its functions under this Act. Such supplementary employees shall, at no time, exceed one-fifth of the numbers of full-time, permanent technical or professional employees of the Office, but shall be considered as regular staff members of the Office, while so employed.

Administrative Accountability

Sec. 105. As part of the Annual Report by the Secretary of Education to the Congress on the Status of Vocational Education, submitted on the last day of each fiscal year, the Secretary shall report on how the staff of the Office was specifically utilized to accomplish its mandated tasks under this Act, during the preceding fiscal year; and shall furthermore state in detail how that staff is being and will be utilized during the fiscal year in which such annual report is submitted.

[Part A--Allotment and Allocation]
Part B--Vocational Education Assistance to the States

Subpart I--Allotment and Allocations

Allotment

Sec. [1011] 111. (a)(1) From the sums appropriated pursuant to section 3(a), the Assistant Secretary shall reserve[--(A) 2 percent for the activities described in title IV (other than part E); and

(B)] 1 1/2 percent for the purpose of carrying out section [103] 113 of which (i) 1 1/4 percent shall be for the purposes of section [103]113(b) and (ii) 1/4 percent shall be for the purposes of section [103]113(c).

(2) Subject to the provisions of paragraph (3), from the remainder of the sums appropriated pursuant to sections 3(a) and 3(b), the Assistant Secretary shall allot to each State for each fiscal year--

(A) an amount which bears the same ratio to 50 percent of the sums being allotted as the product of the population aged fifteen to nineteen inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State's allotment ratio bears to the sum of the corresponding products for all the States;
(B) an amount which bears the same ratio to 20 percent of the sums being allotted as the product of the population aged twenty to twenty-four, inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State's allotment ratio bears to the sum of the corresponding products for all the States;
(C) an amount which bears the same ratio to 15 percent of the sums being allotted as the product of the population aged twenty-five to sixty-five, inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State's allotment ratio bears to the sum of the corresponding products for all the States; and
(D) an amount which bears the same ratio to 15 percent of the sums being allotted as the amounts allotted to the State under clauses (A), (B), and (C) for such years bears to the sum of the amounts allotted to all the States under clauses (A), (B), and (C) for such year.
(3)(A)(i) Notwithstanding any other provision of law and subject to clause (ii), for any fiscal year for programs authorized by title II or part B of title III of this Act, no State shall receive less than the payments made to the State for each such program for fiscal year 1985 under Public Laws 98-619 and 99-88. Amounts necessary for increasing such payments to States to comply with the preceding sentence shall be obtained by ratably reducing the amounts to be paid to other States, but no such amount shall be reduced to an amount which is less than the amount a State received under the Act for each such program for fiscal year 1985.
(ii) If for any fiscal year the amount appropriated for programs authorized by title II or part B of title III and available for allotment under this section is insufficient to satisfy the provisions of clause (i), the payments to all States for each such program shall be ratably reduced as necessary.
(B)(i) Notwithstanding any other provision of law and subject to subparagraph (A) and clause (ii), for any fiscal year for which the amounts appropriated for programs authorized by title II or part A, B, C, D, or E of title III (and available for allotment under this section) exceed the amounts so available for fiscal year 1985, no State shall receive less than one-half of one percent of the amount available for each such program for that fiscal year under this subsection. Amounts necessary for increasing such payments to States to comply with the preceding sentence shall be obtained by ratably reducing the amounts to be paid to other States.
(ii) Due to the application of the provisions of clause (i), for any fiscal year, no State shall receive more than [150] 120 percent of the payments made to the State for each program authorized by title II, or part A, B, C, D, or E of title III for the preceding fiscal year.
(C) In the case of the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands, the minimum allotment for all programs under the Act shall be $200,000.
(b) If the Assistant Secretary determines that any amount of any State's allotment under subsection (a) for any fiscal year will not be required for such fiscal year for carrying out the program for which such amount has been allotted, the Assistant Secretary shall make such amount available for reallotment. Any such reallotment among other States shall occur on such dates during the same year as the Assistant Secretary shall fix, and shall be made on the basis of criteria established by regulation. No funds may be reallotted for any use other than the use for which they were appropriated. Any amount reallotted to a State under this subsection for any fiscal year shall remain available for obligation during the succeeding fiscal year and shall be deemed to be part of its allotment for the year in which it is obligated.
(c)(1) The allotment ratio for any state shall be 1.00 less the product of--
(A) 0.50; and
(B) the quotient obtained by dividing the per capita income for the State by the per capita income for all the States (exclusive of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands), except that (i) the allotment ratio in no case shall be more than 0.60 or less than 0.40 and (ii) the allotment ratio for Puerto Rico, Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands shall be 0.60.
(2) The allotment ratios shall be promulgated by the Assistant Secretary for each fiscal year between October 1 and December 31 of the fiscal year preceding the fiscal year for which the determination is made. Allotment ratios shall be computed on the basis of the average of the appropriate per capita incomes for the three most recent consecutive fiscal years for which satisfactory data are available.
(3) The term "per capita income" means, with respect to a fiscal year, the total personal income in the calendar year ending in such year, divided by the population of the area concerned in such year.
(4) For the purposes of this section, population shall be determined by the Assistant Secretary on the basis of the latest estimates available to the Department.

Within State Allocation

Sec. [102] 112. (a)(1) Each State shall reserve from its allotment of funds appropriated under section 3(a) for each fiscal year an amount that does not exceed 7 percent of the allotment for State administration of the State plan. If the cost of carrying out the provisions of section [111] 121(b) exceeds 1
percent of a State's allotment of funds appropriated under section 3(a), the State may reserve that excess amount from that allotment in addition to the 7 percent authorized by the preceding sentence.
(2) The amount reserved under paragraph (1) shall be considered as part of that portion of the State's allotment that is retained for State activities and is not distributed under section [113] 123(a)(4).
(b) From the remainder of its allotment of funds appropriated under section 3(a), each State shall reserve for each fiscal year--
(1) 57 percent for activities described in part A of title II; and

(2) 43 percent for activities described in part B of Title II.
(c) From the remainder of its allotment of funds appropriated under section 3(a) for each fiscal year--
(1) at least 25 percent shall be available for activities in postsecondary education, including education for adults in out-of-school settings; and
(2) at least 25 percent shall be available for activities in secondary education.

Indian and Hawaiian Natives Programs

Sec. [103] 113.(a)(1) For the purpose of this section--
(A) the term "Act of April 16, 1934" means the Act entitled "An Act authorizing the Secretary of the Interior to arrange with States or territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes", enacted April 16, 1934 (48 Stat. 596; 25 U.S.C. 452-457); and
(B) the term "Hawaiian native" means any individual any of whose ancestors were natives, prior to 1778, of the area which now comprises the State of Hawaii.
(2) From the funds reserved pursuant to section [101] 111(a)(1)(B), the Assistant Secretary shall enter into contracts for Indian and Hawaiian native programs in accordance with the provisions of this section.
(b)(1) From the funds reserved pursuant to section [101] 111(a)(1)(B)(i), the Assistant Secretary is directed, upon the request of any Indian tribe which is eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-Determination Act or under the Act of April 16, 1934, to enter into grants or contracts with any tribal organization of any such Indian tribe to plan, conduct, and administer programs, or portions thereof, which are authorized by and consistent with the purposes of this Act, except that such grants or contracts shall be subject to the terms and conditions of section 102 of the Indian Self-Determination Act and shall be conducted in accordance with the provisions of sections 4, 5, and 6 of the Act of April 16, 1934, which are relevant to the programs administered under this sentence. From any remaining funds reserved pursuant to section [101] 111(a)(1)(B) and available for this subsection, the Assistant Secretary is authorized to enter into an agreement with the Assistant Secretary of the Interior for Indian Affairs for the operation of vocational education programs authorized by this Act in institutions serving Indians eligible to receive educational benefits as Indians from the Bureau of Indian Affairs, and the Secretary of the Interior is authorized to receive the funds for the purposes described in this paragraph.
(2) The Bureau of Indian Affairs shall expend an amount equal to the amount made available under this subsection, relating to programs for Indians, to pay a part of the costs of programs funded under this subsection. During each fiscal year the Bureau of Indian Affairs shall expend no less than the amount expended during the prior fiscal year on vocational education programs, services, and activities administered either directly by, or under contract with, the Bureau of Indian Affairs. The Assistant Secretary and the Assistant Secretary of the Interior for Indian Affairs shall jointly prepare a plan for the expenditure of funds made available and for the evaluation of programs assisted under this subsection. Upon the completion of a joint plan for the expenditure of these funds and the evaluation of the programs, the Assistant Secretary shall assume responsibility for the administration of the program, with the assistance and consultation of the Bureau of Indian Affairs.
(3) Programs funded under this subsection shall be in addition to such other programs, services, and activities as are made available to eligible Indians under other provisions of this Act.
(4) For the purposes of this Act, the Bureau of Indian Affairs shall be deemed to be a State board; and all the provisions of this Act shall be applicable to the Bureau as if it were a State board.
(c) From the funds reserved pursuant to section [101] 111(a)(1)(B)(ii), the Assistant Secretary is directed, to enter into contracts with organizations primarily serving and representing Hawaiian natives which are recognized by the Governor of the State of Hawaii to plan, conduct, and administer programs, or portions thereof, which are authorized by and consistent with the provisions of this section for the benefit of Hawaiian natives.

[Part B] Subpart II--State Organizational and Planning Responsibilities

State Administration

Sec. [111] 121(a)(1) Any State desiring to participate in the vocational education program authorized by this Act shall, consistent with State law, designate or establish a State board of vocational education which shall be the sole State agency responsible for the administration or the supervision of the State vocational education program. The responsibilities of the State board shall include--
(A) coordination of the development, submission, and implementation of the State plan, and the evaluation of the program, services, and activities assisted under this Act pursuant to section [113] 123(b)(9); and
(B) the development, in consultation with the State council on vocational education, and the submission to the Assistant Secretary, of the State plan required by section [113] 123 and by section [114] 124;
(C) consultation with the State council established pursuant to section [112] 122, and other appropriate agencies, groups, and individuals involved in the planning, administration, evaluation, and coordination of programs funded under this Act;
(D) convening and meeting as a State board (consistent with State law and procedure for the conduct of such meetings) at such time as the State board determines necessary to carry out its functions under this Act, but not less than four times annually; [and]
(E) the adoption of such procedures as the State board considers necessary to implement State level coordination with the State job training coordinating council to encourage cooperation in the conduct of their respective programs.
Except with respect to the functions set forth in the preceding sentence, the State board may delegate any of its other responsibilities involving administration, operation, or supervision, in whole or in part, to one or more appropriate State agencies[.] ; and

(F) the provision of technical assistance and guidance to local eligible recipients by individuals who by virtue of training and experience are qualified as program specialists, with such assistance and guidance being available in areas such as industrial arts/technology education, vocational agricultural education, business education, career guidance and vocational counseling, health occupations education, home economics education, marketing education, technical education, trade and industrial education, administration, apprenticeship training, professional development, adult vocational training, cooperative work experience education, sex-equity coordination, and vocational education and training for individuals who are handicapped, disadvantaged, limited English proficient, adults in need of training or retraining, single parents, homemakers, and single pregnant women, participants in programs to eliminate sex bias and stereotyping, and criminal and delinquent offenders.

(2) Each State shall include a description of any delegation of its functions under paragraph (1) in its State plan, or amendments to such plan, submitted to the Assistant Secretary.

(b)(1) Any State desiring to participate in the programs authorized by this Act shall assign one full-time individual to serve as the State's sex equity coordinator and sufficient staff (as determined by the state director of vocational education) within the appropriate agency established or designated by the State board under the last sentence of subsection (a)(1) to administer vocational education programs within the State, to work [full time] under the supervision of the state director of vocational education (who shall be appointed from among individuals qualified by relevant experience), to assist the State board to fulfill the purposes of this Act by--

(A) administering [the program of vocational education for single parents and homemakers described in section 201(f) and] the sex equity program described in section 201(g) and, at the discretion of the State director of vocational education, administering the program of vocational education for single parents, homemakers, and single pregnant women described in section 201(f);

(B) gathering, analyzing, and disseminating data on the adequacy and effectiveness of vocational education programs in the State in meeting the education and employment needs of women (including preparation for employment in technical occupations, new and emerging occupational fields, and occupations regarded as nontraditional for women), and on the status of men and women students and employees in such programs;

(C) reviewing vocational education programs (including career guidance and vocational counseling *and programs for persons with limited English proficiency*) for sex stereotyping and sex bias, with particular attention to practices which tend to inhibit the entry of women in high technology occupations, and submitting (i) recommendations for inclusion in the State plan of programs and policies to overcome sex bias and sex stereotyping in such programs, and (ii) an assessment of the State's progress in meeting the purposes of this Act with regard to overcoming sex discrimination and sex stereotyping;

(D) reviewing proposed actions on grants, contracts, and the policies of the State board to ensure that the needs of women are addressed in the administration of this Act;

(E) developing recommendations for programs of information and outreach to women, concerning vocational education and employment opportunities for women (including opportunities for careers as technicians and skilled workers in technical fields and new and emerging occupational fields);

(F) providing technical assistance and advice to local educational agencies, postsecondary institutions, and other interested parties in the State, in expanding vocational opportunities for women; and

(G) assisting administrators, instructors, and counselors in implementing programs and activities to increase access for women (including displaced homemakers and single heads of households) to vocational education and to increase male and female students' enrollment in nontraditional programs.

(2) For the purpose of this subsection, the term "State" means any one of the fifty States and the District of Columbia.

(3) Each State shall expend not less than $60,000 in each fiscal year to carry out the provisions of this subsection.

(c) The State board shall make available to each private industry council established under section 102 of the Job Training Partnership Act within the State a listing of all programs assisted under this Act.

(d) Each State board, in consultation with the State council, shall establish a limited number of technical committees to advise the council and the board on the development of model curricula to address State labor market needs. Technical committees shall develop an inventory of skills that may be used by the State board to define state-of-the-art model curricula. Such inventory will provide the type and level of knowledge and skills needed for entry, retention, and advancement in occupational areas taught in the State. The State board shall establish procedures for membership, operation, and duration of such committees consistent with the purposes of this Act. The membership shall be representatives of--

(1) employers from any relevant industry or occupation for which the committee is established;

(2) trade or professional organizations representing any relevant occupations; and

(3) organized labor, where appropriate.

(e) The imposition of any State rule or policy relating to the administration and operation of programs funded by this Act (including any rule or policy based on State interpretation of any Federal law, regulation, or guideline) shall be identified as a State imposed requirement.

State Council on Vocational Education

Sec. [112] 122(a) Each State which desires to participate in vocational education programs authorized by this Act for any fiscal year shall establish a State council, which shall be appointed by the Governor or, in the case of States in which the members of the State board of education are elected (including election by the State legislature), by such board. Each State council shall be composed of 13 individuals, and shall be broadly representative of citizens and groups within the State having an interest in vocational education. Each State council shall consist of--

(1) seven individuals who are representative of the private sector in the State who shall constitute a majority of the membership--
(A) five of whom shall be representative of business, industry, and agriculture, including--
(i) one member who is representative of small business concerns; and
(ii) one member who is a private sector member of the State job training coordinating council (established pursuant to section 122 of the Job Training Partnership Act), and
(B) two of whom shall be representatives of labor organizations;
(2) six individuals who are representative of secondary and postsecondary vocational institutions (equitably distributed among such institutions), career guidance and **vocational** counseling organizations within the State, individuals who have special knowledge and qualifications with respect to the special educational and career development needs of special populations (including women, the disadvantaged, the handicapped, individuals with limited English proficiency, and minorities) and of whom one member shall be representative of special education.
In selecting individuals under subsection (a) to serve on the State council, due consideration shall be given to the appointment of individuals who serve on a private industry council under the Job Training Partnership Act, or on State councils established under other related Federal Acts **and to student members of vocational student organizations**.
(b) The State shall certify to the **Assistant** Secretary the establishment and membership of the State council by the beginning of each State plan period described in section [113] **123**(a)(1).
(c) Each State council shall meet as soon as practical after certification has been accepted by the **Assistant** Secretary and shall select from among its membership a chairperson who shall be representative of the private sector. The time, place, and manner of meeting, as well as council operating procedures and staffing, shall be as provided by the rules of the State council, except that such rules must provide for not less than one public meeting each year at which the public is given an opportunity to express views concerning the vocational education program of the State.
(d) During each State plan period described in section [113] **123**(a)(1), each State council shall--
(1) meet with the State board or its representatives to advise on the development of the subsequent State plan;
(2) advise the State board and make reports to the Governor, the business community, and general public of the State, concerning-
(A) policies the State should pursue to strengthen vocational education (with particular attention to programs for the handicapped); and
(B) initiatives and methods the private sector could undertake to assist in the modernization of vocational education programs;
(3) analyze and report on the distribution of spending for vocational education in the State and on the availability of vocational education activities and services within the State;
(4) furnish consultation to the State board on the establishment of evaluation criteria for vocational education programs within the State;
(5) submit recommendations to the State board on the conduct of vocational education programs conducted in the State which emphasize the use of business concerns and labor organizations;
(6) assess the distribution of financial assistance furnished under this Act, particularly with the analysis of the distribution of financial assistance between secondary vocational education programs and postsecondary vocational education programs;
(7) recommend procedures to the State board to ensure and enhance the participation of the public in the provision of vocational education at the local level within the State, particularly the participation of local employers and local labor organizations;
(8) report to the State board on the extent to which the individuals described in section 201(b) are provided with equal access to quality vocational education programs; and
(9)(A) evaluate at least once every two years (i) the vocational education program delivery systems assisted under this Act, and under the Job Training Partnership Act, in terms of their adequacy and effectiveness in achieving the purposes of each of the two Acts and (ii) make recommendations to the State board on the adequacy and effectiveness of the coordination that takes place between vocational education and the Job Training Partnership Act and (B) advise the Governor, the State board, the State job training coordinating council, the **Assistant** Secretary, and the Secretary of Labor of these findings and recommendations.
(e) Each State council is authorized to obtain the services of such professional, technical, and clerical, personnel as may be necessary to enable it to carry out its functions under this Act and to contract for such services as may be necessary to enable the Council to carry out its evaluation functions, independent of programmatic and administrative control by other State boards, agencies, and individuals.
(f)(1)(A) Except as provided in subparagraph (B), from the amounts appropriated pursuant to section 3(c) the **Assistant** Secretary shall make grants to State councils from amounts allotted to State councils in accordance with the method for allotment contained in section [101] **111**(a)(2), without regard to paragraph (3), except that no State council shall be allotted less than [$120,000] **$155,000** nor more than [$225,000] **$300,000** for each fiscal year.
(B) From the amounts appropriated pursuant to section 3(c), for each fiscal year, the **Assistant** Secretary shall make grants of $50,000 to State councils of the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.
(2) The expenditure of the funds paid pursuant to this subsection is to be determined solely by the State council for carrying out its functions under this Act, and may not be diverted or reprogrammed for any other purpose by any State board, agency, or individual. Each State council shall designate an appropriate State agency or other public agency, eligible to receive funds under this Act, to act as its fiscal agent for purposes of disbursement, accounting, and auditing.

State Plans

Sec. [113] 123(a)(1)(A) Any State desiring to receive funds from its allotment for any fiscal year shall submit to the **Assistant** Secretary a State plan for a three-year period in the case of the initial plan and a 2-year period thereafter, together with

such annual revisions as the State board determines to be necessary.
(B) The planning periods required by [paragraph (1) of this subsection shall be coterminous with the planning program periods required under section 104(a) of the Job Training Partnership Act.] **section 104(a) of the Job Training Partnership Act shall be coterminous with the planning program periods required by paragraph (1).**
(2)(A) In formulating the State plan (and amendments thereto) the State board shall meet with and utilize the State council, established pursuant to section [112] 122 of this Act.
(B) The State board shall conduct public hearings in the State, after appropriate and sufficient notice, for the purpose of affording all segments of the public and interested organizations and groups an opportunity to present their views and make recommendations regarding the State plan. A summary of such recommendations and the State board's response shall be included with the State plan.
(3) In developing the State plan, the State shall--
(A) assess the current and projected occupational needs and the current and projected demand for general occupational skills within the State;
(B) examine the needs of students, including adults, in order to determine how best to improve student skill levels in light of the State's occupational and skill requirements **and examine the availability of vocational student organization activities within the State;**
(C) assess the special needs of groups and individuals specified in section 201(b) for access to vocational education and vocational services in terms of labor market needs;
(D) assess the quality of vocational education in terms of--
(i) the pertinence of programs to the workplace and to new and emerging technologies,
(ii) the responsiveness of programs to the current and projected occupational needs in the State,
(iii) the capacity of programs to facilitate entry into, and participation in, vocational education and to ease the school-to-work and secondary-to-postsecondary transition,
(iv) the technological and educational quality of vocational curricula, equipment, and instructional materials to enable vocational students and instructors to meet the challenges of increased technological demands of the workplace, and
(v) the capability of vocational education programs to meet the needs for general occupational skills and improvement of academic foundations in order to address the changing content of jobs;
(E) determine the capacity of local educational agencies, with respect to secondary education and postsecondary educational institutions, to deliver the vocational education services necessary to meet the needs identified through the assessments required by clauses (A) through (D) of this paragraph; and
(F) determine, for each fiscal year, how the services and activities supported by funds furnished under this Act may be expected to assist the State in meeting the needs identified through the assessments required by clauses (A) through (D) of this paragraph.
(b) Each such plan shall--
(1) provide assurances that, and where necessary a description of the manner in which, the State board will comply with the requirements of titles I, II, III, and V of this Act, including--
(A) a description of the manner in which the State will comply with the criteria required for programs for the handicapped and for the disadvantaged prescribed by section 204;
(B) assurances that the State will comply with the distribution of assistance requirements contained in section 203; and
(C) assurances that, to the extent consistent with the number and location of individuals described in clauses (1) and (2) of section 201(b) in the State who are enrolled in private elementary and secondary schools, provision is made for the participation of such individuals in the vocational education program assisted under Part A of title II of this Act;
(2) set forth the planned uses of Federal funds available for vocational education, **including the planned distribution of such funds by eligible recipient,** for each fiscal year for which the plan is submitted and describe how the State did carry out the provisions of section [113] 123(a)(3);
(3) describe progress the State has made in achieving the goals set forth in each State plan subsequent to the initial State plan;
(4) provide assurances that the State will distribute at least 80 percent of the funds made available for parts A and B of title II to eligible recipients, or combination of eligible recipients, except that the State will distribute [100] at least 95 percent of the funds available for clauses (1) and (2) of section 202, relating to the disadvantaged and the handicapped, to eligible recipients in accordance with section 203(a);
(5) set forth the criteria the State board will use in approving applications of eligible recipients and allocating funds made available under this Act to such recipients, which shall ensure that States will allocate more Federal funds to eligible recipients in units of local government which are economically depressed (including both urban and rural units) or which have high unemployment, as determined by the State;
(6) provide such methods of administration as are necessary for the proper and efficient administration of the Act;
(7) provide assurances that, in the use of funds available for single parents and homemakers under section 201(b)(3), that the State will emphasize assisting individuals with the greatest financial need, and that in serving homemakers the State will give special consideration to homemakers who because of divorce, separation, or the death or disability of a spouse must prepare for paid employment;
(8) provide assurances that the State will furnish relevant training and vocational education activities to men and women who desire to enter occupations that are not traditionally associated with their sex;
(9)(A) provide assurances that the State will develop measures for the effectiveness of programs assisted under this Act in meeting the needs identified in the State plan, including valuative measurements such as--
(i) the occupations to be trained for, which will reflect a realistic assessment of the labor market needs of the State;
(ii) the levels of skills to be achieved in particular occupations, which will reflect the hiring needs of employers; [and]

(iii) the basic employment competencies to be used in performance outcomes, which will reflect the hiring needs of employers; **and**

(iv) the level of placement to be achieved by secondary and postsecondary vocational education graduates, which will reflect the employment needs of vocational education students.

(B) the State will, as a component of the measures under subclause (A) of this clause, establish appropriate measures for evaluating the effectiveness of programs for the handicapped assisted under this Act; and

(C) provide assurances that the State will evaluate the projects, services, and activities supported under this Act of not less than 20 percent of the participating eligible recipients within the State in each fiscal year;

(10) describe the methods proposed for the joint planning and coordination of programs carried out under this Act with **special emphasis on** programs conducted under the Job Training Partnership Act, **as well as** the Adult Education Act, title I of the Elementary and Secondary Education Act of 1965 as modified by chapter 1 of the Education Consolidation and Improvement Act, the Education of the Handicapped Act, and the Rehabilitation Act of 1973, **the Family Support Act of 1988,** and with apprenticeship training programs;

(11) that programs of **research,** personnel development, and curriculum development shall be funded to further the goals identified in the State plan;

(12) provide assurances that the vocational education needs of those identifiable segments of the population in the State that have the highest rates of unemployment have been thoroughly assessed, and that such needs are reflected in and addressed by the State plan;

(13) provide assurances that the State board will cooperate with the State council on vocational education in carrying out its duties under this part;

(14) provide assurance that none of the funds expended under this Act will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization;

(15) [provide assurances that for each fiscal year, expenditures for career guidance and counseling from allotments for title II and part D of title III will not be less than the expenditures for such guidance and counseling in the State for the fiscal year 1984 assisted under section 134(a) of the Vocational Education Act of 1963;]

(A) provide assurances that the State will provide leadership, supervision, and resources for comprehensive career guidance, vocational counseling, and placement programs; and (B) provide assurances, as a component of the assurances under subparagraph (A), that for each fiscal year, expenditures for career guidance and vocational counseling from allotments for Title II and Part D of Title III will not be less than the expenditures for such guidance and counseling in the State for the fiscal year 1988.

(16) provide assurances that Federal funds made available under this Act will be used so as to supplement, and to the extent practicable increase the amount of State and local funds that would in the absence of such Federal funds be made available for the uses specified in the State plan, and in no case supplant such State or local funds; and

(17) provide assurances that the State will provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to eligible recipients under this Act).

(c)(1) When changes in program conditions, labor market conditions, funding, or other factors require substantial amendment to an approved State plan, the State board, in consultation with the State council, shall submit amendments to such State plan to the **Assistant** Secretary. Any such amendments shall be subject to review by the State job training coordinating council, and the State council.

(2) The **Assistant** Secretary shall approve, within sixty days of submission, the State plan amendments which meet the requirements of this section, unless such amendments propose changes that are inconsistent with the requirements and purposes of this Act. The **Assistant** Secretary shall not finally disapprove such amendments except after giving reasonable notice and an opportunity for a hearing to the State board.

Approval

Sec. [114] 124(a)(1) Each State plan shall, not less than 60 days before the plan is to be submitted to the **Assistant** Secretary, be furnished to the State legislature and the State job training coordinating council of the State under section 122 of the Job Training Partnership Act for review and comment. If the matters covered by the comments of the State legislature and the State job training coordinating council are not covered by the State plan, the State shall submit the comments with the State plan to the **Assistant** Secretary.

(2) If the State legislature is not in session during the period described in paragraph (1), the State board shall submit the plan for review and comment to the next meeting of the State legislature and forward the comments of the State legislature to the **Assistant** Secretary when the comments are received.

(b)(1) Each State plan shall be submitted to the State council on vocational education for review and comment not later than 60 days prior to the submission of the plan to the **Assistant** Secretary.

(2) If the State council finds that the final State plan is objectionable for any reason, including that it does not meet the labor market needs of the State, the State council shall file its objections with the State board. The State board shall respond to any objections of the State council in submitting such plan to the **Assistant** Secretary. The **Assistant** Secretary shall consider such comments in reviewing the State plan.

(c)(1) The **Assistant** Secretary shall provide technical assistance and guidance **from individuals who by virtue of training and experience are qualified as program specialists** to the States in order to assist the States to fulfill the requirements of section [113] **123**(a)(3).

(2)(A) Each State plan shall be submitted to the **Assistant** Secretary by May 1 preceding the beginning of the first fiscal year for which such plan is to be in effect. The **Assistant** Secretary shall approve, within sixty days, each such plan which meets the requirements of section [113] **123**, and shall not finally disapprove a State plan except after giving reasonable notice and an opportunity for a hearing to the State board.
(B) The document submitted under subparagraph (A) shall be considered to be the general application required to be submitted by the State for funds received under this Act for purposes of the provisions of section 435 of the General Education Provisions Act.

Local Application

Sec. [115] 125(a) Except as provided in subsection (c), any eligible recipient desiring to receive assistance under this Act shall, according to requirements established by the State board, submit to the State board an application, covering the same period as the State plan, for the use of such assistance. The State board shall determine requirements for local applications (and amendments thereto), except that each such application shall--
(1) set forth the vocational education programs, services, and activities proposed to be funded; [and]
(2) describe the coordination with relevant programs conducted under the Job Training Partnership Act and the Adult Education Act, to avoid duplication[.]; **and**
(3) describe efforts, including the creation of local vocational instructional program advisory committees, to encourage articulation programs among various educational institutions in the local area which, where appropriate, promote curriculum continuum between secondary and postsecondary vocational programs, including the development of technical preparatory/associate degree programs for occupational education programs begun in the junior year of high school and completed in a community, technical, or junior college.
(b) Each such local application shall be available for review and comment by interested parties, including the appropriate administrative entity under the Job Training Partnership Act.
(c)(1) Eligible recipients providing relatively few vocational education programs, services, and activities funded with limited total Federal and State funds may, as determined by the State board, be exempt from the requirements of subsection (a) or (b) or both.
(2) Each State board shall identify in its State plan the appropriate criteria for determining such exemptions.

TITLE II--BASIC STATE GRANTS FOR VOCATIONAL EDUCATION

Part A--Vocational Education Opportunities

Uses of Funds

Sec. 201(a) From the portion of the allotment of each State under section [101] **111** available for this part, each State shall provide vocational education services and activities designed to meet the special needs of groups of individuals specified in subsection (b).

(b) To meet the needs identified in the State plan, each State shall use the portion of its allotment available for this part in any fiscal year to provide vocational education services and activities designed to meet the special needs of, and to enhance the participation of--

(1) handicapped individuals;

(2) disadvantaged individuals;

(3) adults who are in need of training and retraining;

(4) individuals who are single parents, homemakers, or single pregnant women;

(5) individuals who participate in programs designed to eliminate sex bias and stereotyping in vocational education; and

(6) criminal **and delinquent** offenders who are serving in a correctional institution.

(c)(1) Each State shall use the portion of its allotment available for this part in any fiscal year for handicapped individuals only for the Federal share of expenditures limited to supplemental or additional staff, equipment, materials, and services not provided to other individuals in vocational education that are essential for handicapped individuals to participate in vocational education. If the conditions of handicapped students require a separate program, each State may use such funds for the Federal share of the costs of the services and activities in separate vocational education programs for handicapped individuals which exceed the average per-pupil expenditures for regular services and activities of the eligible recipient.

(2) Each State shall use the portion of its allotment available for this part in any fiscal year for disadvantaged individuals only for the Federal share of expenditures limited to supplemental or additional staff, equipment, materials, and services not provided to other individuals in vocational education that are essential for disadvantaged individuals to participate in vocational education. If the conditions of disadvantaged individuals require a separate program, each State may use such funds for the Federal share of the costs of the services and activities in separate vocational education programs for disadvantaged individuals which exceed the average per-pupil expenditures for regular services and activities of the eligible recipient.

(d)(1) Each State may use the portion of its allotment available for this part for any fiscal year for the improvement of vocational education services and activities designed to provide equal access to quality vocational education to disadvantaged individuals, the costs of services and activities which apply the latest technological advances to courses of instruction, and, subject to the provisions of paragraph (2), the acquisition of modern machinery and tools.

(2) Funds available to each recipient under this part for the disadvantaged may be expended for the acquisition of modern machinery and tools in schools at which at least 75 percent of the students enrolled are economically disadvantaged.

(e)(1) Each State shall use the portion of its allotment available for this part to provide, improve, and expand adult and postsecondary vocational education services and activities to train and retrain adults.

(2) Funds used for the purpose described in subsection (a) may be used for services and activities developed in coordination with the State agency administering title III of the Job Training Partnership Act.

(3) Funds for services and activities under this section may be used for--

(A) additional training under title III of the Job Training Partnership Act;

(B) vocational education programs for training or retraining adults, including programs for older individuals and displaced homemakers;

(C) the costs of serving adults in other vocational education programs, including paying the costs of instruction or the costs of keeping school facilities open longer;

(D) individuals who have completed or left high school and who are enrolled in organized programs of study for which credit is given toward an associate or other degree, but which programs are not designed as baccalaureate or higher degree programs; and

(E) individuals who have already entered the labor market, or have completed or left high school, and who are not described in clause (D).

(f) Each State may only use the portion of its allotment available for this part to--

(1) provide, subsidize, reimburse or pay for vocational education and training activities, including basic literacy instruction and necessary educational materials, that will furnish single parents, homemakers, and single pregnant women with marketable skills;

(2) make grants to eligible recipients for expanding vocational education services when this expansion directly increases the eligible recipients' capacity for providing single parents, homemakers, and single pregnant women with marketable skills;

(3) make grants to community-based organizations for the provision of vocational education services to single parents, homemakers, and single pregnant women if the State determines that the community-based organization has demonstrated effectiveness in providing comparable or related services to single parents, homemakers, and single pregnant women, taking into account the demonstrated performance of such an organization in terms of cost, the quality of training and the characteristics of the participants;

(4) make vocational education and training more accessible to single parents, homemakers, and single pregnant women by assisting them with child care or transportation services or by organizing and scheduling the programs so that such programs are more accessible; or

(5) provide information to single parents, homemakers, and single pregnant women to inform them of vocational education programs and related support services.
(g) That portion of the allotment described in section 202(5) shall be available for--
(1) programs, services, and activities to eliminate sex bias and stereotyping in secondary and postsecondary vocational education;
(2) vocational education programs, services, and activities for girls and women, aged 14 through 25, designed to enable the participants to support themselves and their families; and
(3) support services for individuals participating in vocational education programs, services, and activities described in clauses (1) and (2) including dependent-care services and transportation. The requirement with respect to age limitations contained in clause (2) of subsection (a) may be waived whenever the individual described in section [111] **121**(b)(1) determines that the waiver is essential to meet the objectives of this section.
(h)(1) Each State may use the portion of its allotment available for this part in any fiscal year for basic skills instruction for vocational education students **which develops and reinforces core academic competencies** and [related] **relates** to their instructional program whenever the State board determines that such instruction is necessary to carry out the purposes described in subsection (b) of this section**; States and local education agencies are encouraged to grant academic credit for those vocational education courses into which core academic competencies have been successfully integrated**.
(2) Each State may use the portion of its allotment available for this part in any fiscal year for the provision of educational training through arrangements with private vocational training institutions, private postsecondary educational institutions, and employers whenever such institutions or employers can make a significant contribution to obtaining the objectives of the State plan and can provide substantially equivalent training at a lesser cost, or can provide equipment or services not available in public institutions.
(i)(1) Vocational education services and activities described in subsection (b) shall, to the extent practicable, include work-site programs such as cooperative vocational education, work-study, and apprenticeship programs.
(2) Vocational education services and activities described in subsection (b) may include placement services for students who have successfully completed vocational education programs.

Distribution of Assistance

Sec. 202**(a)** From the portion of the allotment of each State available for this part for each fiscal year--
(1) **An amount equal to** 10 percent of the funds available for this title shall be available for handicapped individuals**, except that up to 5 percent of such amount shall be available for Statewide program activities specifically designed to assist handicapped individuals, including, but not limited to, model demonstrations programs, teacher education and skill upgrading, technical assistance for local program development, applied research and development, and curriculum adaptation/revision;**
(2) **An amount equal to** 22 percent of such funds **available for this title** shall be available for disadvantaged individuals**, except that up to 5 percent of such amount shall be available for Statewide program activities specifically designed to assist disadvantaged individuals, including, but not limited to, model demonstration programs, teacher education and skill upgrading, technical assistance for local program development, applied research and development, and curriculum adaptation/revision;**
(3) **An amount equal to** 12 percent of such funds **available for this title** shall be available for adults who are in need of training and retraining**, especially those who are displaced or unemployed;**
(4) **An amount equal to** 8.5 percent of such funds **available for this title** shall be available for individuals who are single parents, [and] homemakers**, and single pregnant women;**
(5) **An amount equal to** 3.5 percent of such funds **available for this title** shall be available for individuals who are participants in programs designed to eliminate sex bias and stereotyping in vocational education; and
(6) **An amount equal to** 1 percent of such funds **available for this title** shall be made available for criminal **and delinquent** offenders who are in correctional institutions.
(b) A State, after documenting the need to do so in its state plan and receiving the expressed, written approval of the Assistant Secretary, may transfer up to 20 percent of the funds allotted to any one category of special population allotments described in this section to another category of such population allotments.

Within State Allocation

Sec. 203. (a)(1)(A) The State board shall allocate the 10 percent of the amount allotted to the State and available for this title for vocational education services and activities for the handicapped to eligible recipients in accordance with the provisions of this paragraph.
(B) Of the amount allocated under this paragraph--
(i) 50 percent of such amount shall be allocated to eligible recipients on the basis of the relative number of economically disadvantaged individuals enrolled in each eligible recipient in the fiscal year preceding the fiscal year in which the determination is made to the total number of such individuals enrolled in all eligible recipients within the State in such year; and
(ii) 50 percent shall be allocated on the basis of the relative number of handicapped students served in vocational education programs by each eligible recipient within the State in the fiscal year preceding the fiscal year for which the determination is made as compared to the total number of such individuals served by all eligible recipients within the State in such year.
(2)(A) The State board shall allocate the 22 percent of the amount allotted to the State and available for this title for vocational education services and activities for the disadvantaged to eligible recipients in accordance with the provisions of this paragraph.
(B) Of the amount allocated under this paragraph--

(i) 50 percent of such amount shall be allocated to eligible recipients on the basis of the relative number of economically disadvantaged individuals enrolled in each eligible recipient in the fiscal year preceding the fiscal year in which the determination is made compared to the total number of such individuals enrolled in all eligible recipients within the State in such year; and
(ii) 50 percent shall be allocated on the basis of the relative number of disadvantaged individuals and individuals with limited English proficiency served in vocational education programs by each eligible recipient within the State in the fiscal year preceding the fiscal year for which the determination is made as compared to the total number of such individuals served by all eligible recipients within the State in such year.
(3) The State board shall ensure that each eligible recipient that receives funds under paragraph (2) uses those funds to provide vocational education services and activities for individuals with limited English proficiency at least in proportion to the number of such individuals enrolled by that eligible recipient in the fiscal year preceding the fiscal year in which the determination is made as compared to the total number of disadvantaged individuals, including individuals with limited English proficiency so enrolled in that fiscal year.
(4) Each local educational agency shall use, to the extent feasible, community-based organizations of demonstrated effectiveness, in addition to other eligible recipients, for the use of funds available under this part in areas of the State in which there is an absence of sufficient vocational education facilities or in which the vocational education programs do not adequately address the needs of disadvantaged students, or in which the local educational agency determines that the community-based organization can better serve disadvantaged students.
(5) Each local educational agency is authorized to use funds allocated under paragraph (1) of this subsection for joint projects with one or more other local educational agencies.
(b) The State board may encourage any eligible recipients within the State which is eligible to receive a grant under this part which is $1,000 or less in any fiscal year to operate programs jointly with another eligible recipient.
(c) The State board shall establish criteria for the distribution of the remaining amount of the allotment of the State available for this part to eligible recipients and to community-based organizations pursuant to section 201(c)(3) within the State for the purposes described in clauses (3), (4), (5), and (6) of section 202.

Criteria for Services and Activities for the Handicapped and for the Disadvantaged

Sec. 204. (a) The State board shall, with respect to that portion of the allotment distributed in accordance with section 203(a) for vocational education services and activities for handicapped individuals and disadvantaged individuals, provide assurances that--
(1) equal access will be provided to handicapped and disadvantaged individuals in recruitment, enrollment, and placement activities;
(2) equal access will be provided to handicapped and disadvantaged individuals to the full range of vocational programs available to nonhandicapped and nondisadvantaged individuals, including occupational specific courses of study, **and work-site programs such as** cooperative education, **vocational work-study** and apprenticeship programs; and
(3)(A) vocational education programs and activities for handicapped individuals will be provided in the least restrictive environment in accordance with section 612(5)(B) of the Education of the Handicapped Act and will, whenever appropriate, be included as a component of the individualized education plan required under section 612(4) and section 614(a)(5) of such Act; and
(B) vocational education planning for handicapped individuals will be coordinated between appropriate representatives of vocational education and special education.
(b) Each local educational agency shall, with respect to that portion of the allotment distributed in accordance with section 203(a) for vocational education services and activities for handicapped individuals and disadvantaged individuals, provide information to handicapped and disadvantaged students and parents of such students concerning the opportunities available in vocational education at least one year before the students enter the grade level in which vocational education programs are first generally available in the State, but in no event later than the beginning of the ninth grade, together with the requirements for eligibility for enrollment in such vocational education programs.
(c) Each student who enrolls in vocational education programs and to whom subsection (b) applies shall receive--
(1) assessment of the interests, abilities, and special needs of such student with respect to completing successfully the vocational education program;
(2) special services, including adaptation of curriculum, instruction, equipment, and facilities, designed to meet the needs described in clause (1);
(3) **career** guidance, **vocational** counseling, and career development activities conducted by professionally trained counselors who are associated with the provision of such special services; and
(4) **vocational** counseling services designed to facilitate the transition from school to post-school employment**, apprenticeship programs,** and career opportunities.

Part B--Vocational Education Program Improvement, Innovation, and Expansion

Uses of Funds

Sec. 251. (a) From the portion of the allotment of each State under section [101] **111** available for this part from amounts appropriated pursuant to section 3(a) for each fiscal year, each State may use funds so available to meet the needs identified in the State plan for--

(1) the improvement of vocational education programs within the State designed to improve the quality of vocational education, including high-technology programs involving an industry-education partnership as described in Part D of title III. **cooperative education,** apprenticeship training programs, and the provision of technical assistance;
(2) the expansion of vocational education activities necessary to meet student needs and the introduction of new vocational education programs, particularly in economically depressed urban and rural areas of the State;
(3) the introduction of new vocational education programs, particularly in economically depressed urban and rural areas;
(4) the creation or expansion of programs to train workers in skilled occupations needed to revitalize businesses and industries [or], to promote the entry of new businesses and industries into a State or community**, and to promote and stimulate greater cooperation and coordination between business, industry, labor and education with regard to technical education and technical training;**
(5) exemplary and innovative programs which stress new and emerging technologies and which are designed to strengthen vocational education services and activities;
(6) the improvement and expansion of postsecondary and adult vocational education programs and related services for out-of-school youth and adults, which may include upgrading the skills of (A) employed workers, (B) workers who are unemployed or threatened with unemployment as a result of technological change or industrial dislocation, (C) workers with limited English proficiency, and (D) displaced homemakers and single heads of households;
(7) the improvement and expansion of career [counseling and] guidance **and vocational counseling** authorized by part D of title III;
(8) programs relating to curriculum development in vocational education within the State, including the application of basic skills training **and the development of articulation programs which encourage greater curriculum collaboration between secondary and postsecondary vocational and technical education programs;**
(9) the expansion and improvement of programs at area vocational education schools;
(10) the acquisition **and upgrading** of equipment and the renovation of facilities necessary to improve or expand vocational education programs within the State;
(11) the conduct of special courses and teaching strategies designed to teach the fundamental principles of mathematics and science through practical applications which are an integral part of the student's occupational program;
(12) the assignment of personnel to work with employers and eligible recipients in a region to coordinate efforts to ensure that vocational programs are responsive to the labor market and supportive of **cooperative education and** apprenticeship training programs;
(13) the activities of vocational student organizations carried out as an integral part of the secondary and postsecondary instructional program**, including activities designed to promote supervision, coordination, training, leadership, human relations, and entrepreneurship, as well as programs which provide a testing base for the knowledge and skills learned in vocational education;**
(14) prevocational programs;
(15) [programs of modern industrial and agricultural arts] **programs of industrial arts/technology education, vocational agriculture education, business education, career guidance and vocational counseling, health occupations education, home economics education, marketing education, technical education, and trade and industrial education,**
(16) support for full-time personnel to carry out section [111] **121**(b) which shall be paid for from administrative expenses of the State available under section [102] **112**(b);
(17) the provision of stipends, which shall not exceed reasonable amounts as prescribed by the **Assistant** Secretary by regulation, for students entering or already enrolled in vocational education programs who have acute economic needs which cannot be met under work-study programs;
(18) placement services for students who have successfully completed vocational education programs (including special services for the handicapped and cooperative efforts with rehabilitation programs);
(19) day care services for children of students in secondary and postsecondary vocational education programs;
(20) the construction of area vocational education school facilities in areas having a demonstrated need for such facilities;
(21) the acquisition **and upgrading** of high-technology equipment for vocational education programs;
(22) the provision of vocational education through arrangements with private vocational education institutions, private postsecondary educational institutions, and employers whenever such private institutions or employers can make a significant contribution to attaining the objectives of this Act and can provide substantially equivalent preparation**, through the use of staff with occupational expertise in vocational education,** at a lesser cost, or can provide equipment or services not available in public institutions;
(23) the acquisition**, upgrading,** and operation of communications and telecommunications equipment for vocational education programs;
(24) the improvement or expansion of any other vocational education activities authorized under part A;
(25) pre-employment skills training; [and]
(26) school-to-work transition programs[.]**; and**
(27) research designed to study, evaluate, and assess new and innovative approaches, as well as programs and activities currently in operation;
(b) From the portion of the allotment of each State under section [101] **111** available for this part from amounts appropriated pursuant to section 3(a) for each fiscal year, each State shall use grants--
(1) for the provision of in-service and pre-service training designed to increase the competence of vocational education teachers, counselors, and administrators, including special emphasis on the integration of handicapped and disadvantaged students in regular courses of vocational education;

(2) the provision of in-service training to help State and local leaders develop, administer, and supervise State plans and programs;
(3) the provision of training to potential vocational/technical education leaders; and
(4) the provision of training and teacher education designed to upgrade and further develop vocational education professionals, including industrial update workshops for vocational and technical instructors.

Criteria for Program Improvement, Innovation, and Expansion

Sec. 252. (a) Subject to the provisions of this part, each State may expend funds available under this part in the manner best suited to carry out the purposes of this Act within the State.
(b) Each State may make use of community-based organizations of demonstrated effectiveness, in addition to eligible recipients, for the use of funds available under this part in areas of the State in which there is an absence of sufficient vocational education facilities or in which the vocational education programs do not adequately address the needs of disadvantaged students or wherever the community-based organization can better serve disadvantaged students.
(c) Any project assisted with funds made available under this part shall be of sufficient size, scope, and quality to give reasonable promise of meeting the vocational education needs of the students involved in the project.

TITLE III--SPECIAL PROGRAMS

Part A--State Assistance for Vocational Education Support Programs by Community-Based Organizations

Applications

Sec. 301. (a) Each community-based organization which desires to receive assistance under this part shall prepare jointly with the appropriate eligible recipient and submit an application to the State board at such time, in such manner, and containing or accompanied by such information as the State board may require. Each such application shall--
(1) contain an agreement between the community-based organization and the eligible recipients in the area to be served, which includes the designation of fiscal agents established for the program;
(2) provide a description of the uses for which assistance is sought pursuant to section 302(b) together with evaluation criteria to be applied to the program;
(3) provide assurances that the community-based organization will give special consideration to the needs of severely economically and educationally disadvantaged youth ages sixteen through twenty-one, inclusive;
(4) provide assurances that business, **industry, and labor** concerns will be involved, as appropriate, in services and activities for which assistance is sought;
(5) describe the collaborative efforts with the eligible recipients and the manner in which the services and activities for which assistance is sought will serve to enhance the enrollment of severely economically and educationally disadvantaged youth into the vocational education programs; and
(6) provide assurances that the programs conducted by the community-based organization will conform to the applicable standards of performance and measures of effectiveness required of vocational education programs in the State.

Uses of Funds

Sec. 302(a) From the portion of the allotment of each State under section [101] **111** available for this part, each State shall provide financial assistance to joint programs of eligible recipients and community-based organizations within the State for the conduct of special vocational education services and activities described in subsection (b).
(b) Funds provided under this section may be used in accordance with State plans for--
(1) outreach programs to facilitate the entrance of youth into a program of transitional services and subsequent entrance into vocational education, employment or other education and training;
(2) transitional services such as attitudinal and motivational prevocational training programs;
(3) prevocational educational preparation and basic skills development conducted in cooperation with business, **industry, or labor** concerns;
(4) special prevocational preparations programs targeted to inner-city youth, **foster care youth making the transition to independent living,** [non-English speaking youth] **youth with limited English proficiency,** Appalachian youth, and the youth of other urban and rural areas having a high density of poverty who need special prevocational education programs;
(5) career intern programs;
(6) assessment of students needs in relation to vocational education and jobs; [and]
(7) **career** guidance and **vocational** counseling to assist students with occupational choices and with the selection of a vocational education program; **and**
(8) model programs suitable for replication utilizing vocational education approaches to prevent youth from dropping out of school or to promote their re-entry.

Part B--Consumer and Homemaking Education

Consumer and Homemaking Education Grants

Sec. 311. From the portion of the allotment of each State under section [101] **111** available for this part, the **Assistant** Secretary is authorized to make grants to States to assist them in conducting consumer and homemaking education programs. Such programs may include (1) instructional programs, services, and activities that prepare youth and adults for the occupation of homemaking, and (2) instruction in the areas of food and nutrition, **individual and family health,** consumer education, family living and parenthood education, child development and guidance, housing, home management (including resource management), and clothing and textiles.

Use of Funds from Consumer and Homemaking Education Grants

Sec. 312(a) Grants to any State under this part shall be used, in accordance with State plans approved under section [114] **124**--
(1) to conduct programs in economically depressed areas;
(2) to encourage participation of traditionally underserved populations;
(3) to encourage the elimination of sex bias and sex stereotyping;

(4) to improve, expand, and update programs with an emphasis on those which specifically address needs described under clauses (1), (2), and (3); and
(5) to address priorities and emerging concerns at the local, State, and national levels.
(b) Grants for the purposes set forth in subsection (a) may be used for--
(1) program development and improvement of instruction and curricula relating to managing individual and family resources, making consumer choices, [managing home and work responsibilities] **balancing work and family**, improving responses to individual and family crises **(including family violence and child abuse)**, strengthening parenting skills **(especially among teenage parents)**, **preventing teen pregnancy**, assisting aged and handicapped individuals, **assisting at-risk populations (including the homeless)**, improving **individual, child, and family** nutrition **and wellness**, conserving limited resources, understanding the impact of new technology on life and work, applying consumer and homemaking education skills to jobs and careers, and other needs as determined by the State; and
(2) support services and activities designed to ensure the quality and effectiveness of programs, including demonstration of innovative and exemplary projects, community outreach to underserved populations, application of academic skills (such as reading, writing, mathematics, and science) through consumer and homemaking education programs, curriculum development, research, program evaluation, development of instructional materials, teacher education, upgrading of equipment, teacher supervision, and State administration and leadership, including activities of the student organization.
(c) Not less than one-third of the Federal funds made available to any State under this section shall be expended in economically depressed areas or areas with high rates of unemployment for programs designed to assist consumers and to help improve home environments and the quality of family life.

Information Dissemination and Leadership

Sec. 313(a) The State board shall ensure that the experience and information gained through carrying out programs assisted under this part is shared with administrators for the purpose of program planning. Funds available under this part shall be used to assist in providing **State leadership and full-time** State [leadership] **administrators** qualified by experience and **educational** preparation in home economics education.
(b) Not more than 6 percent of the funds available under this part may be used for State administration of projects, services, and activities under this part.

Part C--Adult Training, Retraining, and Employment Development

Subpart 1--Basic Program

Findings and Purpose

Sec. 321(a) The Congress finds that--
(1) technological change, international competition, and the demographics of the Nation's work force have resulted in increases in the numbers of adult workers who are unemployed, who have been dislocated, or who require training, retraining, or upgrading of skills,
(2) many women entering and reentering the paid labor market are disproportionately employed in low-wage occupations and require additional training,
(3) many adults cannot gain access to or benefit fully from vocational education due to limited English proficiency, and
(4) these needs can be met by vocational education programs that are responsive to the needs of individuals and the demands of the labor market.
(b) It is the purpose of this subpart (1) to provide financial assistance to the States to enable them to expand and improve vocational education programs designed to meet urgent needs for training, retraining, and employment development of adults who have completed or left high school and are preparing to enter or have entered the labor market, in order to equip adults with the competencies and skills required for productive employment, and (2) to ensure that such programs are relevant to the labor market needs and accessible to all segments of the population, including women, minorities, the handicapped, individuals with limited English proficiency, workers fifty-five and older, **the unemployed**, and the economically disadvantaged.

Authorization of Grants and Use of Funds

Sec. 322(a) From the portion of the allotment of each State under section [101] **111** available for this subpart, the **Assistant** Secretary shall make grants to the State for programs, services, and activities authorized by this subpart.
(b)(1) Grants to States under this subpart may be used, in accordance with State plans, for--
(A) vocational education programs, services, activities, and employment development authorized by title II which are designed to meet the needs of--
(i) individuals who have graduated from or left high school and who need additional vocational education for entry into the labor force;
(ii) unemployed individuals who require training to obtain employment or increase their employability;
(iii) employed individuals who require retraining to retain their jobs, or who need training to upgrade their skills to qualify for higher paid or more dependable employment;

(iv) displaced homemakers and single heads of households who are entering or reentering the labor force;
(v) employers who require assistance in training individuals for new employment opportunities or in retraining employees in new skills required by changes in technology, products, or processes;
(vi) workers fifty-five and older;
(B) short-term programs of retraining designed to upgrade or update skills in accordance with changed work requirements;
(C) education and training programs designed cooperatively with employers, such as--
(i) institutional and worksite programs, including **cooperative education and** apprenticeship training programs (or combinations of such programs) especially tailored to the needs of an industry or group of industries for skilled workers, technicians, or managers, or to assist their existing work force to adjust to changes in technology or work requirements; and
(ii) quick-start, customized training for workers in new and expanding industries, or for workers for placement in jobs that are difficult to fill because of a shortage of workers with the requisite skills,
(D) building more effective linkages between vocational education programs and private sector employers (through a variety of programs including programs where secondary school students are employed on a part-time basis as registered apprentices with transition to full-time apprenticeships upon graduation), and between eligible recipients of assistance under this Act and economic development agencies and other public and private agencies providing job training and employment services, in order to more effectively reach out to and serve individuals described in subparagraph (A);
(E) cooperative education programs with public and private sector employers and economic development agencies, including seminars in institutional or worksite settings, designed to improve management and increase productivity;
(F) entrepreneurship training programs which assist individuals in the establishment, management, and operation of small business enterprises;
(G) recruitment, job search assistance, **career guidance and vocational** counseling, remedial services, and information and outreach programs designed to encourage and assist males and females to take advantage of vocational education programs and services, with particular attention to reaching women, older workers, individuals with limited English proficiency, the handicapped, and the disadvantaged;
(H) curriculum development, acquisition of instructional equipment and materials, personnel training, pilot projects, and related and additional services and activities required to effectively carry out the purposes of this subpart, **including the development of occupational education programs begun in the junior year of high school and completed in a community, technical, or junior college;**
(I) the costs of serving adults in other vocational education programs, including paying the costs of instruction or the costs of keeping school facilities open longer; [and]
(J) related instruction for apprentices in apprenticeship training programs; **and**
(K) industry training.
(2) In making grants under this subpart, the **Assistant** Secretary shall require each State, in its State plan (or an amendment thereto), to assure that programs--
(A) are designed with the active participation of the State council established pursuant to section [112] **122**;
(B) make maximum effective use of existing institutions, are planned to avoid duplication of programs or institutional capabilities, and to the fullest extent practicable are designed to strengthen institutional capacity to meet the education and training needs addressed by this subpart;
(C) involve close cooperation with and participation by public and private sector employers and public and private agencies working with problems of employment and training and economic development; and
(D) where appropriate, involve coordination with programs under the Rehabilitation Act of 1973 and the Education of the Handicapped Act.
(c)(1) Funds made available pursuant to Section 3(b)(3)(1) of this Act may be used, in accordance with this subpart, to provide vocational training and retraining to individuals in order to assist their entry into, or advancement in, high technology occupations or to meet the technological needs of other industries or businesses.
(2) Special consideration shall be given to individuals described in paragraph (1) who have attained 55 years of age.

Coordination with the Job Training Partnership Act

Sec 323(a) Each State receiving grants under this subpart shall include in the State plan methods and procedures for coordinating vocational education programs, services, and activities funded under this subpart to provide programs of assistance for dislocated workers funded under title III of the Job Training Partnership Act.
(b)(1) The State board shall consult with the State job training coordinating council (established under section 122 of the Job Training Partnership Act) in order that programs assisted under this subpart may be taken into account by such council in formulating recommendations to the Governor for the Governor's coordination and special services plan required by section 121 of such Act.
(2) The State board shall also adopt such procedures as it considers necessary to encourage coordination between eligible recipients receiving funds under this subpart and the appropriate administrative entity established under the Job Training Partnership Act in the conduct of their respective programs, in order to achieve the most effective use of all Federal funds through programs that complement and supplement each other, and, to the extent feasible, provide an ongoing and integrated program of training and services for workers in need of such assistance.

Subpart 2--Special Program

Findings and Purpose

Sec. 326(a) Findings.--The Congress finds that--
(1) technological change, international competition , and the demographics of the Nation's workforce have resulted in increases in the numbers of experienced adult workers who are unemployed, who have been dislocated, or who require training, retraining, or upgrading of skills,
(2) the individuals who are entering and reentering the labor market are less educated, trained, or skilled and are disproportionately employed in low-wage occupations and require additional training, and
(3) these needs can be net by education and training programs, especially vocational programs, that are responsive to the needs of individuals and thedemands of the labor market.
(b) Purpose.-- It is the purpose of this part to (1) provide financial assistance to States to enable them to expand and improve vocational education programs designed to neet current needs for training, retraining, and employment development of adults who have completed or left high school and are preparing to enter or have entered the labor market, including workers who are 55 years of age and older, in order to equip adults with the competencies and skills required for productive employment, and (2) to ensure that programs are available which are relevant to the labor market needs and accessible to all segments of the population.

Authorization of Grants and Uses of Funds

Sec. 327(a) Grants to States.--The **Assistant** Secretary shall make grants in proportion to the amount received under section [101] **111** to States for programs, services, and activities authorized by this part.
(b) State Administration.--(1) Grants to States under this part shall be made to the board established under section [111] **121** to serve as the grant recipinet and catalyst to public-private training partnerships.
(2)(A) Such board shall make awards on the basis of application form educational institutions (e.g. community colleges, vocational schools, service providers under the Job Training Partnership Act (29 U.S.C. 49 et seq.), four-year colleges, universities, and community-based organizations) which link up with one or more private companies in order to train people for jobs in high growth fields.
(B) The board shall establish criteria for application, application content and criteria, and procedures for the awarding of grants under this section.
(3) Business must be actively involved in the planning, designing, operating, and monitoring of the education and training programs so that they will meet their needs.
(4) Training can include entry level training, employee upgrading, retraining,
and customized training.
(5) Grants shall not be awarded for more than 50 percent of the costs. The remainder must come from the private sector in either cash or related equipment and services which would be at least equivalent to the Federal grant portion.
(c) Eligible programs.--Programs eligible for funding by the State, and designed cooperatively between education institutions and one or more businesses, may include--
(1) institutional and worksite programs tailored to meet the needs of an industry or group of industries for skilled workers, technicians or manager, or to assist their existing workforce to adjust to changes in technilogy or work requirements;
(2) quick-start, customized training for workers in new and expanding industries, or for workers for placement in jobs that are difficult to fill because of a shortage of workers with the requisite skills;
(3) shared programs between educational institutions and businesses, where a work experience is provided by the business subsequent to the classroom training to reinforce the classroom or workshop training;
(4) cooperative education programs with public and private sector employers and economic development agencies, including seminars in institutional or worksite settings, designed to improve management and increase productivity;
(5) entrepreneurship training programs which assist individuals in the establishment, management, and operation of small business enterprises;
(6) recruitment, job search assistance, counseling, remedial services, and information and outreach programs designed to encourage and assist males and females to take advantage of vocational education programs and services, with particular attention to reaching women, older workers, individuals with limited English proficiency, the handicapped, and the disadvantaged; and
(7) related instruction for apprentices in apprenticeship training programs.
(d) Requirements.--In making grants under this part, the **Assistant** Secretary shall require each State, in its State plan (or an amendment to such plan), to assure that programs--
(1) designed with the active participation of the State council established pursuant to section [112] **121**;
(2) make maximum effective use of existing institutions, are planned to avoid duplication of programs or institutional capabilities, and to the fullest extent practicable are designed to strengthen institutional capacity to meet the education and training needs addressed by this part;
(3) assure the active participation by public and private sector employers and public and private agencies working with programs of employment and training and economic development; and
(4) where appropriate, involve coordination with programs under the Rehabilitiation Act of 1973 and the Education of the Handicapped Act.

Coordination with the Job Training Partnership Act

Sec. 328. (a) Requirements for Inclusion in the State Plan.--Each State receiving grants under this part shall include in the State plan methods and procedures for coordinating vocational education programs, services, and activities funded under this part to provide programs of assistance for dislocated workers funded under title III of the Job Training Partnership Act.
(b) Consultation with State Job Training Coordinating Council.--(1) The State board shall consult with the State job training coordinating council established under section 122 of the Job Training Partnership Act) in order that programs assisted under this part may be taken into account by such council in formulating recommendations to the Governor for the Governor's coordination and special services plan required by section 121 of such Act.
(2) The State board shall also adopt such procedures as it considers necessary to encourage coordination between eligible recipients receiving funds under this part and the appropriate administrative entity established under the Job Training Partnership Act in the conduct of their respective programs, in order to achieve the most effective use of all Federal funds through programs that complement and supplement each other, and, to the extent feasible, provide an ongoing and integrated program of training and services for workers in need of such assistance.

Part D--Comprehensive Career Guidance and Vocational Counseling Programs

Grants for Career Guidance and Vocational Counseling

Sec. 331. From the portion of the allotment of each State under section [101] **111** available for this part, the **Assistant** Secretary is authorized to make grants to States to assist them in conducting career guidance and **vocational** counseling programs authorized by this part.

Use of Funds from Career Guidance and Vocational Counseling Grants

Sec. 332(a) Grants to any State under this part shall be used, in accordance with State plans (and amendments thereto), for programs (organized and administered by certified counselors) designed to improve, expand, and extend career guidance and **vocational** counseling programs to meet the career development, vocational education, and employment needs of vocational education students and potential students. Such programs shall be designed to assist individuals--
(1) to acquire self-assessment, career planning, career decision-making, and employability skills;
(2) to make the transition from education and training to work;
(3) to maintain marketability of current job skills in established occupations;
(4) to develop new skills to move away from declining occupational fields and enter new and emerging fields in high-technology areas and fields experiencing skill shortages;
(5) to develop mid-career job search skills and to clarify career goals; and
(6) to obtain and use information on financial assistance for postsecondary and vocational education, and job training.
(b) Programs of career guidance and **vocational** counseling under this part shall encourage the elimination of sex, age, handicapping condition, and race bias and stereotyping, provide for community outreach, enlist the collaboration of the family, the community, business, industry, and labor and be accessible to all segments of the population, including women, minorities, the handicapped, and the economically disadvantaged. The programs authorized by this part shall consist of--
(1) instructional activities and other services at all educational levels to help students with the skills described in clauses (1) through (6) of subsection (a); and
(2) services and activities designed to ensure the quality and effectiveness of career guidance and **vocational** counseling programs and projects assisted under this part, such as **vocational** counselor education (including education of **vocational** counselors working with individuals with limited English proficiency), training of support personnel, curriculum development, research and demonstration projects, experimental programs, instructional materials development, equipment acquisition, **career information delivery system development,** and State and local leadership and supervision; and
(3) projects which provide opportunities for **vocational** counselors to obtain firsthand experience in business and industry, and projects which provide opportunities to acquaint students with business, industry, the labor market, and training opportunities (including secondary educational programs that have at least one characteristic of an apprenticeable occupation as recognized by the Department of Labor or the State Apprenticeship Agency in accordance with the Act of August 16, 1937, known as the National Apprenticeship Act, in concert with local business, industry, labor, and other appropriate apprenticeship training entities, designed to prepare participants for an apprenticeable occupation or provide information concerning apprenticeable occupations and their prerequisites).
c) Not less than 20 percent of the sums made available to a State under this part shall be used for programs designed to eliminate sex, age, and race bias and stereotyping under subsection (b) and for activities to ensure that programs under this part are accessible to all segments of the population, including women, the disadvantaged, the handicapped, individuals with limited English proficiency, and minorities.
(d) Not less than 20 percent of the sums made available to a State under this part shall be used for research and demonstration projects to establish and implement or demonstrate student/client outcome standards delivered through comprehensive career guidance and vocational counseling programs. Eligible recipients funded by the State for this purpose shall, in collaboration with the State and other State designated eligible recipients, review, set, or make known the

student/client outcome standards against which the adequacy and effectiveness of future career guidance and vocational counseling programs supported under this act will be measured.

Information Dissemination and Leadership

Sec. 333(a) The State board shall ensure that the experience and information gained through programs assisted under this part is shared with administrators for the purpose of program planning. Funds available under this part shall be used to assist in providing State leadership qualified by experience and knowledge in **career** guidance and **vocational** counseling.
(b) Not more than 6 percent of the funds available under this part may be used for State administration of projects, services, and activities under this part.

Part E--**Business-**Industry-Education Partnership for Training in High-Technology Occupations

Findings and Purpose

Sec. 341(a) The Congress finds that--
(1) shortages of technicians in high-technology fields are adversely affecting the Nation's productivity, its competitiveness in world markets, defense capability, and economic health; and
(2) the Nation's vocational education system can make a major contribution in meeting the need for trained technicians and skilled workers in these fields, particularly through partnerships between vocational agencies and institutions and private business**, including small business,** and industry.
(b) It is therefore the purpose of this part--
(1) to provide incentives for business and industry and the vocational education community to develop programs to train the skilled workers needed to produce, install, operate, and maintain high-technology equipment, systems, and processes; and
(2) to ensure that such programs are relevant to the labor market and accessible to all segments of the population, including women, minorities, the handicapped, **persons with limited English proficiency,** and the economically disadvantaged.

Authorization of Grants

Sec. 342(a) From the portion of the allotment of each State under section [101] **111** available for this part, the **Assistant** Secretary shall make grants to States to carry out **business-**industry-education partnership training programs in high-technology occupations in accordance with this part.
(b) Grants to any State under this part shall be used, in accordance with State plans which contain assurances to the **Assistant** Secretary that--
(1) funds received under this part will be used solely for vocational education programs designed to train skilled workers and technicians in high-technology occupations (including programs providing related instruction to apprentices)**, cooperative education,** and projects to train skilled workers needed to produce, install, operate, and maintain high-technology equipment, systems, and processes;
(2) to the maximum extent practicable, funds received under this part will be utilized in coordination with the Job Training Partnership Act to avoid duplication of effort and to ensure maximum effective utilization of funds under this Act and the Job Training Partnership Act;
(3) except as provided in subsection (c), not less than 50 per centum of the aggregate costs of programs and projects assisted under this part will be provided from non-Federal sources, and not less than 50 per centum of such non-Federal share of aggregate costs in the State will be provided by participating business and industrial firms;
(4) programs and projects assisted under this part will be coordinated with those assisted under title II, and to the maximum extent practicable (consistent with the purposes of programs assisted under title II), supportive services will be so organized as to serve programs under both titles; [and]
(5) programs and projects assisted under this part will be developed with the
active participation of the State council established pursuant to section [112] 122[.]**; and**
(6) business and industry will be actively involved in the planning, designing, operating, and monitoring of the vocational education and training programs so that their needs will be met.
(c)(1) The business and industrial share of the costs required by subsection (b)(3) may be in the form of cash or of in-kind contributions (such as **services,** facilities, overhead, personnel, and equipment) fairly valued.
(2) The Federal share of such costs shall be available equally from funds available to the States under this part and from funds allotted to the States under title II.
(3) If an eligible recipient demonstrates to the satisfaction of the State that it is incapable of providing all or part of the non-Federal portion of such costs as required by subsection (b)(2), the State may designate funds available under Part B of title II or funds available from State sources in lieu of such non-Federal portion.

Use of Funds

Sec. 343(a) Funds made available to the States by grants under this part may be used solely for the establishment and operation of programs and projects described by section 342(b) and for--
(1) necessary administrative costs of the State board and of eligible recipients associated with the establishment and operation of programs authorized by this part;
(2) training and retraining of instructional and career guidance personnel;
(3) curriculum development and the development or acquisition of instructional and career guidance equipment and materials, including the development of occupational programs begun in the junior year of high school and completed in a community, technical, or junior college;
(4) activities which encourage collaboration between small business enterprises and vocational education to develop appropriate high-technology skills relevant to the needs of small business and to develop placement opportunities for trained students;
[(4)] (5) acquisition and operation of communications and telecommunications equipment and other high-technology equipment for programs authorized by this part; and
[(5)] (6) such other activities authorized by this title as may be essential to the successful establishment and operation of programs and projects authorized by this part, including activities and related services to ensure access of women, minorities, the handicapped, and the economically disadvantaged.
(b) In approving programs and projects assisted under this part, the State board shall give special consideration to--
(1) the level and degree of business and industry participation in the development and operation of the program;
(2) the current and projected demand within the State or relevant labor market area for workers with the level and type of skills the program is designed to produce;
(3) the overall quality of the proposal, with particular emphasis on the probability of successful completion of the program by prospective trainees and the capability of the eligible recipient (with assistance from participating business or industry) to provide high quality training for skilled workers and technicians in high technology; and
(4) the commitment to serve all segments of the population, including women, minorities, the handicapped, and the economically disadvantaged (as demonstrated by special efforts to provide outreach, information, and counseling, and by the provision of remedial instruction and other assistance).
(c) Expenditures for administrative costs pursuant to subsection (a)(1) may not exceed 10 per centum of the State's allotment for this part in the first year and 5 per centum of such allotment in each subsequent year.
(d)(1) Funds made available pursuant to section 3(b)(5)(B) of this Act may be used, in accordance with this part, to provide vocational education to individuals in order to assist their entry into, or advancement in, high technology occupations or to meet the technological needs of other industries or businesses.
(2) Special consideration shall be given to individuals described in paragraph (1) who have attained 55 years of age.

PART F – TECH-PREP EDUCATION PROGRAMS

Short Title

Sec. 351. This part may be cited as the "Tech-Prep Education Act."

Findings and Purpose

Sec. 352(a) The Congress finds that--
(1) rapid technological advances and global economic competition demand increased levels of skilled vocational-technical education preparation and readiness on the part of youths entering the workforce;
(2) effective strategies reaching beyond the boundaries of traditional schooling are necessary to provide early and sustained intervention by parents, teachers, and educational institutions in the lives of students;
(3) a combination of nontraditional school-to-work vocational-technical education programs, using state-of-the-art equipment and appropriate technologies, will reduce the dropout rate for high school students in the United States and will produce youths who are mature, responsible, and motivated to build good lives for themselves;
(4) the establishment of systematic vocational-technical education articulation agreements between secondary schools, postsecondary vocational technical schools, and community colleges is necessary for providing youth with skills in the liberal and practical arts and in basic academics and with the intense vocational-technical preparation necessary for finding a position in the changing workplace;
(5) by the year 2000, an estimated 15 million manufacturing jobs will require more advanced technical skills, and an equal number of service jobs will become obsolete;
(6) more than 50 percent of the jobs that are currently developing will require skills greater than those currently provided by existing educational programs;
(7) dropout rates in urban schools are currently 50 percent or higher and more than 50 percent of all Hispanic youth drop out of school;
(8) each year, as a result of 1 million youths dropping out of high school with inadequate preparation to enter the workforce, the United States loses $240 billion in earnings and taxes; and

(9) employers in the United States pay an estimated $210 billion annually for formal and informal training, remediation, and in lost productivity as a result of untrained and unprepared youth joining, or attempting to join, the workforce of the United States.

(b) It is therefore, the purpose of this part--

(1) to provide State administered planning and demonstration grants to consortia of local educational agencies, postsecondary vocational technical schools, and community colleges, for the development and operation of 4-year programs designed to provide a tech-prep education program leading to an associate degree or two-year postsecondary certificate for youths; and

(2) to provide, in a systematic manner, strong, comprehensive links between secondary schools, postsecondary vocational technical schools, and community colleges.

General Authority

Sec. 353(a) From the portion of the allotment of each State under section 111 of this Act, the Assistant Secretary shall make grants to the States, in accordance with State plans, to pay the Federal share of the cost of activities carried out under this part to consortia of--

(1) local educational agencies or area vocational schools serving secondary school students; and

(2) community colleges and postsecondary vocational technical schools.

(b) The Federal share of the cost of any activity carried out with assistance under this part may not exceed--

(1) for the first year that a grant is received, 100 percent of such cost with respect to development purposes;

(2) for the second year that a grant is received, 80 percent of such cost with respect to implementation and operation;

(3) for the third year that a grant is received, 70 percent of such cost with respect to operation;

(4) for the fourth year that a grant is received, 60 percent of such cost with respect to operation; and

(5) for the fifth year that a grant is recieved, 50 percent of such cost with repect to operation.

Uses of Funds from Tech-Prep Education Grants

Sec. 354(a) In accordance with State plans, each grant recipient shall use amounts provided under the grant to develop and operate a 4-year tech-prep education program.

(b) Any such program shall--

(1) be carried out under an articulation agreement between participants in the consortium;

(2) consist of the 2 years of secondary school preceding graduation and 2 years of postsecondary education, with a common core of required proficiency in mathematics, science, communications, and technologies designed to lead to an associate degree or two-year postsecondary certificate in a specific career field;

(3) include the development of tech-prep education program curriculum appropriate to the needs of the consortium participants; and

(4) include in-service training for teachers that--

(A) is designed to train teachers to implement effectively tech-prep education curriculum;

(B) provides for joint training for teachers form all participants in the consortium; and

(C) may provide such training in weekend, evening, and summer sessions, institutes, or workshops.

(c) Any such program may also--

(1) provide for training programs for counselors desined to enable counselors more effectively to recruit students for tech-prep education programs, ensure their successful completion of such programs and their placement in appropriate employment; and

(2) provide for the acquisition of tech-prep education program equipment.

Application

Sec. 355(a) Each consortium that desires to receive a grant under this section shall submit an application to the State at such time and in such manner as the State shall prescribe.

(b) Each application submitted under this subsection shall contain a 5-year plan for the development, implementation, and operation of activities under this part.

(c) Each State shall approve applications based on their potential to create an effective tech-prep education program as provided for in section 354 of this Act.

(d) Each State shall give special consideration to applications which--

(1) provide for effective employment placement activities or transfer of students to baccalaureate degree programs;

(2) demonstrate commitment to continue the program after the termination of assistance under this part;

(3) are developed in consultation with business, industry, and labor unions; and

(4) address effectively the issues of dropout prevention and re-entry, the needs of minority youth, the needs of youth with limited English proficiency, and the needs of handicapped and disadvantaged youth.

(e) In making grants, each State shall ensure an equitable distribution of assistance among a cross-section of urban and rural consortium participants.

Reports

Sec. 356. In accordance with State plans, each grant recipient, with respect to assistance received under this part, shall submit to the State such reports as may be required by the State and the Assistant Secretary to ensure that such grant recipient is complying with the requirements of this part.

Definitions

Sec. 357. For the purposes of this part:

(1) The term "articulation agreement" means a commitment to a program designed to provide students with a non-duplicative sequence of progressive achievement leading to competencies in a tech-prep education program.

(2) The term "community college" has the meaning provided in section 1201(a) of the Higher Education Act of 1965 for an institution which provides not less then a two-year program which is acceptable for full credit toward a bachelor's degree.

(3) The term "area vocational school" has the meaning provided in section 521(3) of this Act.

(4) The term "postsecondary vocational technical school" means a technical institute or vocational school used exclusively or principally for the provision of vocational education to individuals who have completed or left high school and who are available for study in preparation for entering the labor market.

(5) The term "local education agency" has the meaning provided in section 521(19) of this Act.

(6) The term "tech-prep education program" means a combined secondary and post-secondary program which--

(A) leads to an associate degree or two-year postsecondary certificate;

(B) provides advanced technical preparation in such fields as agriculture, business, health, industrial or mechanical trades and/or applied science;

(C) provides competence in mathematics, science, and communications (including competence gained through applied academics); and

(D) leads to placement in employment or further education.

TITLE IV--NATIONAL PROGRAMS

Part A--Research and Professional Development

Subpart 1 -- Research

Research Objectives

Sec. 401 It is the purpose of this part--
(1) to authorize research activities which contribute to improving the access to vocational education programs of individuals who are disadvantaged, who are handicapped, women who are entering nontraditional occupations, adults who are in need of training or retraining, individuals who are single parents or homemakers, individuals with limited English proficiency, and individuals who are incarcerated in correctional institutions;
(2) to improve the competitive process by which research projects are awarded;
(3) to encourage the dissemination of findings of research projects assisted under this Act to all States; and
(4) to authorize research activities which are readily applicable to the vocational education setting and are of practical application to vocational education administrators, counselors, and instructors and others involved in vocational education.

Research Activities

Sec. 402(a) In order to carry out the objectives set forth in section 401, the Assistant Secretary shall conduct applied research which may include long-range research, on aspects of vocational education specifically related to this Act. Such research may be conducted through [the National Institute of Education or] any [other] division of the Department of Education which the Assistant Secretary determines to be appropriate or may be conducted through field initiated research. Such research shall include--
(1) effective methods for providing quality vocational education to handicapped individuals, disadvantaged individuals, men and women in nontraditional fields, adults who are in need of training or retraining, individuals who are single parents or homemakers, individuals with limited English proficiency, and individuals who are incarcerated in correctional institutions;
(2) strategies for coordinating local, State, and Federal vocational education, employment training, and economic development programs to maximize their efficacy and for improving worker training and retraining;
(3) the constructive involvement of the private sector in public vocational education, including cooperative education;
(4) successful methods of reinforcing and enhancing basic academic skills in vocational settings;
(5) the development of curriculum materials and instructional methods relating to new and emerging technologies, and assessments of the nature of change in the workplace and its effect on individual jobs;
(6) the identification of institutional characteristics which improve the preparation of youth and adults for employment; and
(7) the development of effective methods for providing quality vocational education to individuals of limited English proficiency, including research related to bilingual vocational training.
(b) In addition, the Assistant Secretary shall--
(1) initiate leadership development and in-service education activities for State and local vocational education instructors, counselors, and administrators; and
(2) support meritorious, unsolicited research proposals from individual researchers, community colleges, State advisory councils, and State and local educators relating to the goals of this Act.
(c) The Assistant Secretary shall give preference in carrying out the provisions of this part to public and private postsecondary institutions in conducting vocational education research.
(d)(1) The Assistant Secretary shall institute measures designed to ensure that program improvement activities carried out under this section represent a coordinated effort to improve the quality of vocational education.
[(2) The Secretary shall include in the annual report of the Secretary a summary of activities funded under this section, together with an appraisal of their contributions to the improvement and expansion of vocational education.]
(2) The Secretary shall include in the annual report of the Secretary (A) research criteria employed for national level research, including documentation of State input in the development of such criteria; (B) a summary of activities funded under this section; and, (C) a summary of their contributions to the improvement and expansion of vocational education.

National Assessment of Vocational Education Programs Assisted under this Act

Sec. 403(a) The Assistant Secretary shall conduct a national assessment of vocational education assisted under this Act, through independent studies and analysis [by the] under the auspices of the [National Institute of Education] Office of Educational Research and Improvement. The assessment shall include descriptions and evaluations of--
(1) the vocational education activities and services delivered to the individuals who benefit from vocational education activities and services assisted under this Act, including the expansion of access to quality vocational education for individuals described in section 201(b) and adults;
(2) the impact of this Act in modernizing the Nation's vocational education system and expanding its capacity to meet the changing needs of the workplace;

(3) the resources needed to meet adequately the Nation's job training needs;
(4) the coordination of vocational education programs with employment training and economic development among the States;
(5) the impact of vocational education programs on the achievement of academic skills and employment opportunities of students **comparing, where practicable, the impact of nonvocational secondary education and liberal arts postsecondary education programs on such opportunities;**
(6) the coordination of vocational education and postsecondary programming for handicapped and disadvantaged individuals;
(7) the skill and competency levels developed by States pursuant to section [113] 123(b);
(8) the effectiveness of vocational education programs and services for individuals of limited English proficiency; and
(9) the effectiveness of bilingual vocational training, including bilingual vocational instructor training, to address the unmet needs of individuals of limited English proficiency.
The [National Institute of Education] **Office of Educational Research and Improvement** shall consult with the Committee on Labor and Human Resources of the Senate and the Committee on Education and Labor of the House of Representatives in the design and implementation of the assessment required by this section. The [National Institute of Education] **Office of Educational Research and Improvement** shall report to Congress the preliminary results of the assessment required by this section in January and July of 1988, and a final report shall be prepared and submitted to the Congress not later than January 1, 1989.
(b) The **Assistant** Secretary shall conduct an analysis of State plans and of the findings of evaluations conducted pursuant to section [113] 123(b) and make suggestions to State boards for improvements in planning or program operation.
(c) Notwithstanding any other provision of law or regulation, such reports shall not be subject to any review outside of the [National Institute of Education] **Office of Educational Research and Improvement** before their transmittal to the Congress, but the President and the **Assistant** Secretary may make such additional recommendations to the Congress with respect to the assessment as they deem appropriate.
(d) Not more than [20 percent] **$1,000,000** of the amounts available under **section 3(d) for** this part in any fiscal year may be expended to carry out the assessment authorized by this section.

National Center for Research in Vocational Education

Sec. 404(a)(1) The National Center for Research in Vocational Education established pursuant to this Act (hereinafter in this section referred to as the "National Center", shall continue to be operated with funds made available under this Act.
(2) The **Assistant** Secretary shall provide support for the National Center through an annual grant for its operation. The National Center shall be a nonprofit entity associated with the public or private nonprofit university which is prepared to make a substantial financial contribution toward its establishment. The **Assistant** Secretary shall, on the basis of solicited applications, designate the entity to be the National Center once every five years, acting with the advice of a panel composed of individuals appointed by the **Assistant** Secretary who are not Federal employees and who are recognized nationally as experts in vocational education administration and research.
(3) The National Center shall have a Director, appointed by the university with which it is associated, and shall be assisted by the advisory committee under subsection (c).
(b) The National Center shall have as its primary purposes the design and conduct of research and developmental projects and programs, including longitudinal studies, which extend over a period of years (with such supplementary and short-term activities through other grants and contracts as the Director may choose to undertake consistent with the purposes of this Act). Such projects, programs, and activities shall be conducted by the National Center directly and through subcontracts (subject to the availability of appropriations therefor) with other public agencies and public or private institutions of higher education. The National Center shall--
(1) conduct applied research and development on--
(A) effective methods for providing quality vocational education to handicapped individuals, disadvantaged individuals, men and women in non-traditional fields, **who are in need of training or retraining,** individuals who are single parents or homemakers, individuals with limited English proficiency, and individuals, **including juveniles,** who are incarcerated in correctional institutions;
(B) the constructive involvement of the private sector in public vocational education **including cooperative education;**
(C) successful methods of reinforcing and enhancing basic academic skills in vocational settings;
(D) the development of curriculum materials and instructional methods relating to new and emerging technologies, and assessment of the nature of change in the workplace and its effect on individual jobs; and
(E) the identification of institutional characteristics which improve the preparation of youth and adults for employment;
(2) provide leadership **and personnel** development through an advanced study center and in-service education activities for State and local leaders in vocational education;
(3) disseminate the results of the research and development projects funded by the Center;
(4) develop and provide information to facilitate national planning and policy development in vocational education;
(5) provide technical assistance to programs serving special populations, including the handicapped and individuals with limited English proficiency;
(6) act as a clearinghouse for information on contracts or grants made by the States to carry out research, curriculum, and personnel development activities and on contracts or grants made by the **Assistant** Secretary pursuant to this title;
(7) work with States, local educational agencies, and other public agencies in developing methods of planning and evaluating programs, including the follow-up studies of individuals who complete the program so that such agencies can offer vocational education programs which are more closely related to the types of jobs available in their communities, States, and regions; and(8)

after consultation with the National Commission for Employment Policy, report annually to the Congress, the Secretary of Education, and the Secretary of Labor on the extent, efficiency, and effectiveness of joint planning and coordination under this Act and the Job Training Partnership Act.

(c) The **Assistant** Secretary shall appoint an advisory committee which shall advise the **Assistant** Secretary and the Director with respect to policy issues in the administration of the National Center and in the selection and conduct of major research and demonstration projects and activities of the National Center. The advisory committee shall meet at the call of the **Assistant** Secretary at least three times annually at the site of the National Center. The advisory committee shall consist of not more than twelve members, who shall not be employees of the Federal Government, who shall include--

(1) two members designated by the university with which the National Center is associated;

(2) at least one member selected from individuals nominated by national organizations representing State and local **vocational** education administrators and teachers;

(3) one member who is an individual recognized nationally for work in the field of vocational education research;

(4) one member who is the owner, chief executive officer, or senior manager of a private business or industry which employs skilled workers and technicians in high-technology occupations;

(5) one member who is an individual recognized nationally for work in the field of labor market economics;

(6) one member who is recognized nationally for work in curriculum in vocational education;

(7) one member who represents organized labor;

(8) one member who is an individual recognized nationally for work with individuals with limited English proficiency in the field of vocational education;

(9) one member who is an individual recognized nationally for work in **career** guidance and **vocational** counseling in the field of vocational education; and

(10) one member who is an individual recognized nationally for work with the handicapped in the field of vocational education.

(d) Of the amounts available pursuant to section 3(d) for any fiscal year for this part, there shall be available for each fiscal year not less than $7,700,000 to carry out the purposes of this section relating to the National Center for Research in Vocational Education.

Subpart 2--Professional Development

Vocational Education Personnel Development Assistance

Section 405(a) From funds available under this section, the Assistant Secretary shall provide--

(1) opportunities for experienced vocational educators, community-based organization staff, and administrators of programs funded by the Job Training Partnership Act that operate in vocational settings to participate in advanced study of vocational education;

(2) opportunities for--

(A) certified teachers, who have been trained to teach in other fields, to become vocational educators, if those teachers have skills and experience in fields which facilitate their training as vocational educators, especially skills and experience teaching individuals with limited English proficiency;

(B) persons in industry who have skills and experience in vocational fields for which they can be trained to be vocational educators;

(C) vocational educators to update or maintain technological currency in their fields; and

(3) opportunities for gifted and talented vocational education secondary and postsecondary students to intern with Federal or State agencies, nationally recognized vocational education associations and student organizations, the National Center for Research in Vocational Education, or leadership research institutes established by section 406 of this act.

(b)(1) In order to meet the needs of all States for qualified vocational education leaders (such as administrators, supervisors, teacher educators, researchers, career guidance and vocational counseling personnel, vocational student organization leadership personnel, and teachers in vocational education programs), the Assistant Secretary, following recipient designation by respective state directors of vocational education, shall make available leadership development awards in accordance with the provisions of this subsection only after determination by the respective state director of vocational education that, for the purposes of subsection (a)(1), persons selected for awards--

(A) have had not less than three years of experience in vocational education or in industrial training or, in the case of researchers, experience in social science research which is applicable in vocational education;

(B) are currently employed or are reasonably assured of employment in vocational education and have successfully completed, as a minimum, a baccalaureate degree program;

(C) are recommended by their employer, or others, as having leadership potential in the field of vocational education and have been accepted for admission as a graduate student in a program of higher education approved by the Assistant Secretary; and

(D) have made a commitment to return to the field of vocational education upon completion of education provided through the leadership development award.

(2) The Assistant Secretary shall, for a period of not to exceed three years, pay to persons selected for leadership development awards such stipends (including allowances for tuition, nonrefundable fees, and other expenses for such persons and their dependents) as the Assistant Secretary may determine to be consistent with prevailing practices.

(3) The Assistant Secretary shall, in addition to the stipends paid to persons under subparagraph (b)(2), pay to the institution of higher education at which such persons are pursuing a course of study such amount as the Assistant Secretary may determine, not to exceed $9,000 per person per academic year or its equivalent and $3,000 per person per summer session or its equivalent, except that any amount charged such person for tuition and nonrefundable fees and deposits shall be deducted from the amount payable to the institution of higher education under this subsection. Any funds from grants received under this paragraph which remain after deducting normal tuition fees, and deposits attributable to such students, shall be used by the institution receiving such funds for the purpose of improving the program of vocational education offered by that institution, including leadership development pursuant to section 406 of this act.

(4) The Assistant Secretary shall approve the application of the vocational education program of an institution of higher education for the purposes of this section only upon finding that--

(A) the institution offers a comprehensive program in vocational education with adequate supporting services and disciplines such as education administration, career guidance and vocational counseling, research, and curriculum development;

(B) such program is designed to substantially advance the objective of improving vocational education through providing opportunities for graduate training of vocational teachers, supervisors, and administrators, and of university level vocational education teacher educators and researchers; and

(C) such programs are conducted by a school of graduate study in the institution of higher education.

(5) The Assistant Secretary shall approve the application of the vocational education program of any institution of higher education, for the purposes of this subsection, designated as a leadership research institute, pursuant to section 406 of this act.

(6) The Assistant Secretary, in carrying out this subsection, shall apportion leadership development awards equitably among the States, taking into account such factors as the State's vocational education enrollments, the need for additional vocational education personnel.

(7) Persons receiving leadership development awards under the provisions of this subsection shall continue to receive the payments provided in paragraph (b)(2), not to exceed three years, only during such periods as such persons are maintaining satisfactory proficiency in, and devoting essentially, full-time to study in the field of vocational education in an approved institution of higher education, or to research in a leadership development research institute designated pursuant to section 406 of this act, and are not engaging in gainful employment other than part-time employment by such institution or institute in teaching, research, or similar activities.

(c)(1) In order to meet the need to provide adequate numbers of teachers and related classroom instructors in vocational education who are technologically current in their fields, to take full advantage of the education which has been provided to already certified teachers who are unable to find employment in their fields of training and of individuals employed in industry who have skills and experiences in vocational fields, and to encourage more instructors from minority groups, as well as teachers with skills and experience with persons with limited English proficiency, the Assistant Secretary, following recipient designation by respective state directors of vocational education, shall make available fellowships, in accordance with the provisions of this subsection, to such individuals upon determination that, for the purpose of subsection (a)(2), individuals selected for such fellowships are--

(A) currently employed in vocational education and need to update or maintain the currency of their technological skills;

(B) presently certified, or had been certified within the last 10 years, by a state as teachers in secondary schools, area vocational technical schools/institutes, or in community and junior colleges and have past or current skills and experiences in vocational fields for which they can be trained to be vocational educators, especially skills and experience teaching those with limited English proficiency; or

(C) employed in agriculture, business, or industry (who need not be baccalaureate degree holders) who have skills and experiences in vocational fields for which there is a need for vocational educators, and that individuals receiving such awards have been accepted by a institution of higher education in a program to assist those persons in gaining the skills to become a vocational educator.

(2) The Assistant Secretary shall, for a period not to exceed two years, pay to persons selected by the state director of vocational education for personnel development fellowships under this subsection, stipends (including such allowances for tuition, nonrefundable fees, and subsistence and other expenses for such persons and their dependents) as the Assistant Secretary may determine to be consistent with prevailing practices.

(3) The Assistant Secretary shall approve personnel development fellowships at institutions of higher education only upon finding that--

(A) the institution offers a comprehensive program in vocational education with adequate supporting services and disciplines such as education administration, career guidance and vocational counseling, research and curriculum development; and

(B) such program is available to persons receiving these fellowships so that they can receive the same quality of education and training being offered in the institution for undergraduate students who are preparing to become vocational education teachers.

(4) The Assistant Secretary, in carrying out this subsection shall apportion the fellowships equitably among the States, taking into account such factors as the State's vocational education enrollments, the need for additional vocational education personnel, especially minorities and those with skills and experience in teaching persons with limited English proficiency.

(5) Persons receiving personnel development fellowships under the provisions of this subsection shall continue to receive payments provided in paragraph (2) only during such periods as such persons are maintaining satisfactory proficiency, and devoting

full-time to study in the field of vocational education in an institution of higher education and are not engaging in gainful employment other than part-time employment by such institution.

(6)(A) In carrying out this subsection, the Assistant Secretary shall, before the beginning of each fiscal year, based on information from the National Occupation Information Coordinating Committee, State Occupational Information Coordinating Committees, the National Vocational Education Data System established by section 421 of this Act, and other appropriate sources, publish a listing: (i) of the areas of teaching in vocational education which are presently in need of additional personnel; (ii) of the areas of teaching which will likely have need of additional personnel in the future; and, (iii) of areas of teaching in which technological upgrading may be especially critical.

(B) In selecting recipients for fellowships under this subsection, respective state directors of vocational education shall grant these fellowships, to the maximum extent feasible to persons seeking to become teachers or upgrade their skills in the areas identified.

(d)(1) In order to meet the need of attracting gifted and talented vocational education students into further study and professional development in the field of vocational education, the Assistant Secretary shall make available stipends for internships for gifted and talented vocational education secondary and postsecondary students to intern in Federal and State agencies, nationally recognized vocational education associations, the National Center for Research in Vocational Education or leadership development research institutes established by section 406 of this act, for a period not to exceed nine months, only upon determination that--

(A) persons selected are recommended as gifted and talented by a vocational educator at the secondary or postsecondary school the student attends; and

(B) the persons selected will be provided professional supervision by an individual qualified and experienced in the field of vocational education at the agency or institution at which the internship is offered.

(2) The Assistant Secretary shall approve internships for a period not to exceed nine months to persons selected for the internships under this subsection to cover subsistence and other expenses for such persons as the Assistant Secretary may determine to be consistent with prevailing practices.

(e) Of the amounts available pursuant to section 3(d) for any fiscal year for this part, there shall be available in each fiscal year not less than $5,000,000 to carry out the provisions of this section.

Leadership Development Research Institutes

Sec. 406(a) From funds available under this section, the Assistant Secretary is authorized to establish and support, through grants or contracts to public colleges and universities, no more than ten leadership development research institutes to improve the ability of vocational education to better respond to the needs of the labor market and special populations, to further develop professional leadership within the field of vocational education, and to enhance teacher education in the field of vocational education.

(b) The Assistant Secretary shall award grants or contracts for such leadership development research institutes from among eligible applicants through a competitive process. Such institutes shall be supported for a five-year period, upon determination each year by the Assistant Secretary that such institute has complied with such performance requirements as the Assistant Secretary shall establish, and be eligible for renewal at the end of five years at the discretion of the Assistant Secretary.

(c) The Secretary shall establish through regulations the process for the selection of the leadership development research institutes and shall set forth priorities of critical national significance upon which eligible applicants may choose to conduct applied research and leadership development activities designed to improve the quality of vocational education. Such areas of significance may include--

(1) providing quality vocational education and training to handicapped individuals;

(2) improving the recruitment, preparation and retention of vocational education teachers;

(3) delivering vocational education and training to adults who are in need of training or retraining, especially unemployed, dislocated, and older workers, and financially stressed farmers, agricultural workers, and rural families;

(4) providing vocational education and training to individuals who are single parents, homemakers, or single pregnant women, including education and training related to parenting skills and balancing the roles of work and family;

(5) developing the role of vocational education in the prevention of "at risk" students from dropping out of school;

(6) providing vocational education and training to disadvantaged individuals, including: (A) parents eligible for Aid to Families with Dependent Children who are involved in welfare/work related activities, (B) youth in foster care and other homeless youth making the transition to independent living, and (C) inner-city youth and adults in need of education, training, or retraining;

(7) improving the role of secondary and postsecondary vocational education in the economic development of communities and the advancement of entrepreneurship education;

(8) developing curriculum materials and instructional methods relating to new and emerging technologies and the assessment of the nature of change in the workplace, including its effect on individual jobs;

(9) developing innovative methods to better select and prepare leadership personnel at state or local levels;

(10) developing the constructive involvement of business and industry in public, secondary, and postsecondary vocational education programs, including cooperative education and advisory councils;

(11) integrating and reinforcing basic academic skills in vocational settings;

(12) developing and evaluating programs to enhance learning in the workplace, especially programs designed to reduce

adult illiteracy;
(13) evaluating and improving equity and access to vocational education for all students;
(14) providing quality vocational education and career development to gifted and talented individuals; and
(15) providing teacher education and training pursuant to the implementation of tech-prep education and articulation programs.
(d) Any leadership development research institute selected and established under this section by the Assistant Secretary shall--
(1) provide leadership and personnel development through advanced study, in-service education, and research activities for State and local leaders in vocational education;
(2) provide advanced study and research activities appropriate for the recipients of professional leadership development awards provided pursuant to section 405(b)(1) of this act;
(3) offer comprehensive programs of vocational education leading to baccalaureate, masters, and doctoral degrees;
(4) demonstrate faculty capability in research and professional development activities directly related to vocational education and the specific priority area of national significance upon which it has chosen to focus;
(5) demonstrate an established record of successful collaboration with Federal agencies, State and local vocational education agencies, postsecondary institutions, business, and industry, and labor;
(6) provide adequate support services such as computer facilities, libraries, and fiscal management;
(7) provide a substantial contribution (in cash or in kind, including facilities, overhead, personnel, equipment, and services) toward its establishment as a leadership development institute;
(8) provide assurance that designation as a leadership development research institute will improve the programs of vocational education offered by the institution and contribute to the development of teacher education, leadership, and personnel in the field of vocational education, in conjunction with the provisions of section 405 of this act; and
(9) provide a plan to develop model programs and curriculum suitable for replication.
(e) The Assistant Secretary shall compile and disseminate the results of research and leadership development projects conducted by leadership development research institutes and promote replication of successful approaches.
(f) Of the amounts available pursuant to section 3(d) for any fiscal year for this part, there shall be available for each fiscal year up to $7,500,000 to carry out the purposes of this section relating to leadership development research institutes. Of such grants or contracts that the Secretary shall approve for the purposes of this section, no such grant or contract shall exceed $750,000 nor be less than $500,000 during any given fiscal year for which the grant or contract is awarded.

Part B--Demonstration Programs

Subpart 1--Cooperative Demonstration Programs

Program Authorized

Sec. 411(a) From the amounts available for this part under section 451 for each fiscal year, the Assistant Secretary is authorized to carry out, directly or through grants to or contracts with State and local educational agencies, postsecondary educational institutions, institutions of higher education, and
other public and private agencies, organizations, and institutions, programs and projects which support--
(1) model programs providing improved access to quality vocational education programs for those individuals described in section 201(b) of this Act and for men and women seeking nontraditional occupations;
(2) examples of successful cooperation between the private sector and public agencies in vocational education, involving employers or consortia of employers or labor organizations and building trade councils, and State boards or eligible recipients designed to demonstrate ways in which vocational education and the private sector of the economy can work together effectively to assist vocational education students to attain the advanced level of skills needed to make the transition from school to productive employment, including--
(A) work experience, cooperative education, and apprenticeship programs;
(B) transitional worksite job training for vocational education students which is related to their occupational goals and closely linked to classroom and laboratory instruction provided by an eligible recipient;
(C) placement services in occupations which the students are preparing to enter; and
(D) where practical, projects (such as the rehabilitation of public schools or housing in inner cities or economically depressed rural areas) that will benefit the public;
(3) programs to overcome national skill shortages, as designated by the Secretary in cooperation with the Secretary of Labor, Secretary of Defense, and Secretary of Commerce, especially those in new and emerging occupations; [and]
(4) programs to provide for professional leadership development designed to attract qualified individuals, especially minorities, to full-time study and preparation for leadership within the field of vocational education;
(5) model programs, including but not limited to child growth and development labs and centers, which carry out those programs described in section 312(b)(1) of this act;
(6) programs with secondary vocational school students designed to provide participating students with the skills needed for employment or further education by forming partnerships with business, industry, and labor for the purpose of incorporating into school curriculums--
(A) practical applications of academic subjects;

(B) career exploration;
(C) instruction relating to job seeking skills, career choices, and the use of information relating to the labor market; and
(D) school monitored work experience programs, designed to equip each vocational high school graduate with a resume as well as a diploma; and
[(4)](7) such other activities which the Assistant Secretary may designate which are related to the purposes of this Act.
(b)(1) Projects described in clause (2) of subsection (a) may include institutional and on-the-job training, supportive services authorized by this Act, and such other necessary assistance as the Assistant Secretary determines to be necessary for the successful completion of the project.
(2) Not less than 25 percent of the cost of the demonstration programs authorized by this subpart shall be provided by the recipient of the grant or contract, and such share may be in the form of cash or in-kind contributions, including facilities, overhead, personnel, and equipment fairly valued.
(c) All programs assisted under this section shall be--
(1) of direct service to individuals enrolled in such programs; and
(2) capable of wide replication by service providers.
(d) The Assistant Secretary shall disseminate the results of the programs and projects assisted under this section in a manner designed to improve the training of teachers, other instructional personnel, counsellors, and administrators who are needed to carry out the purposes of this Act.
(e) Not later than one year after the date of enactment of the Carl D. Perkins Vocational Education Act, the Secretary of Labor and the Secretary of Education shall develop and implement a plan for greater coordination between vocational education programs and apprenticeship training programs. Linkages between such programs shall be established relating to apprenticeship programs and preapprenticeship programs, and program evaluation and performance standards (particularly with respect to apprenticeship training and programs of related instruction). The Secretaries shall establish such other collaborative and cooperative efforts as are considered feasible and appropriate.

Subpart 2--State Equipment Pools

Program Authorized

Sec. 413 From funds made available to carry out this subpart, the Assistant Secretary shall develop and implement a program of competitive grants to State boards for the operation of State programs involving the loan of high-technology, state-of-the-art equipment to eligible recipients for use in local vocational education programs. The Assistant Secretary shall determine the appropriate amount of any grant. No State may qualify for more than two consecutive years for a grant under this subpart.

Subpart 3--Demonstration Centers for the Retraining of Dislocated Workers

Program Authorized

Sec. 415. The Assistant Secretary shall establish one or more demonstration centers for the retraining of dislocated workers in order to demonstrate the application of general theories of vocational education to the specific problems of retraining dislaced workers.

Subpart 4--Model Centers for Vocational Education for Older Individuals

Program Authorized

Sec. 417(a) The Assistant Secretary shall establish a grant program to establish and operate model centers to focus greater attention on the special vocational education needs of older individuals and to promote employment opportunities for older individuals in accordance with this subpart.
(b) Any center established and operated by an eligible recipients under this subpart shall--
(1) provide training or retraining to update older individuals' skills, prepare such individuals for new careers when their skills have been rendered obsolete by technological advances, and promote employment through training or retraining, including worksite programs such as cooperative education, in areas of job potential in growth industries utilizing new technologies;
(2) provide assistance for later-life career changes, with special emphasis on the needs of older individuals who are displaced homemakers;
(3) provide information, counseling, and support services to assist older individuals in obtaining employment;
(4) encourage providers of vocational education, including community colleges and technical schools, to offer more job training opportunities targeted to or easily accessible to older individuals; and
(5) promote training of paraprofessionals in gerontology and geriatrics.
(c) The Assistant Secretary shall establish and operate a national clearinghouse within the Department of Education to provide State and local governments, and interested organizations and individuals with information concerning centers established under this subpart and their programs.
(d) For purposes of this subpart, the term "older individual" means an individual fifty-five years of age or older.

Part C–Vocational Education and Occupational Information Data Systems

[Data Systems Authorized]

[Sec. 421(a)(1) The Secretary shall develop, within the National Center for Education Statistics, a national vocational education data reporting and accounting system using uniform definitions. The system required by this section shall include information on vocational education--
(A) students (including information concerning race, sex, and handicapping condition),
(B) programs,
(C) program completers and leavers,
(D) placement and follow-up,
(E) staff,
(F) facilities, and
(G) expenditures in relation to the principal purposes of this Act. Such information shall include the participation of special populations, including women, the disadvantaged, the handicapped, individuals of limited English proficiency, and minorities.
(2) The Secretary shall take such action as may be necessary to secure the data required by this section at reasonable cost. The Secretary, in consultation with the Congress, shall determine the number and types of vocational education institutions to be sampled, the methodology to be used, group sample sizes, appropriate breakdown analysis of such groups, and the frequency with which such studies under this section are to be conducted.
(b)(1) In maintaining and updating such system, the Secretary shall endeavor to the fullest extent feasible to make the system compatible with the occupational information system (established pursuant to section 422), with the vocational education data system authorized under section 161(a) of the Vocational Education Act of 1963, and with other systems developed or assisted under the Job Training Partnership Act and with information collected pursuant to the Education of the Handicapped Act.
(2) Any State receiving assistance under this Act shall cooperate with the Secretary in supplying the information required to be submitted by the Secretary and shall comply in its reports with the vocational education data system developed by the Secretary pursuant to subsection (a). Each State shall submit the data required to carry out this subsection to the Secretary in whatever form the Secretary requires.
(3) The Secretary shall every 2 years update the national vocational education information and accounting system and prepare acquisition plans of data for operating the system. In carrying out the requirements under this paragraph, the Secretary shall use scientific sample surveys for the information required, except that the information required with respect to handicapped students shall be furnished in accordance with section 423 of this Act.
(4) The Secretary may conduct special studies on enrollment of disadvantaged students in vocational education programs, on the participation of handicapped students in vocational education programs, and any other similar subjects which the Secretary deems appropriate.
(c) In carrying out the responsibilities imposed by this section, the Secretary shall cooperate with the Secretary of Labor in implementing section 463 of the Job Training Partnership Act to ensure that the data system operated under this section is compatible with and complementary to other occupational supply and demand information systems developed or maintained with Federal assistance.]

National Vocational Education Data System

Sec. 421(a) The Assistant Secretary shall, by September 30, 1991, establish a National Vocational Education Data System using comparative information elements and uniform definitions which shall include, but not necessarily be limited to, information on:
(1) vocational students (including information concerning race, sex, handicapping condition, and representation among special populations);
(2) vocational student outcomes (including completers, leavers, placement, and follow-up information);
(3) vocational education programs (including prevocational, secondary, postsecondary, adult, part-time, and all other types of programs offered by occupational specialty;
(4) student participation in vocational education programs (including the participation of special populations, including disadvantaged and handicapped individuals, women, person with limited English proficiency, and minorities, in such a manner that longitudinal comparisons may be made;
(5) vocational education staff; and
(6) vocational education fiscal expenditures relating to the requirements of the Act, including expenditures by eligible recipients and expenditures for each category of special populations.
(b)(1) In order to establish, operate, and update such system and develop comparative information elements and uniform definitions, the Assistant Secretary shall establish a task force to be chaired by the Assistant Secretary.
(2) The task force shall include representation from the National Cetner for Education Statistics, the Office of Vocational and Adult Education, the Office of Postsecondary Education, the National Center for Research in Vocational Education, the National Occupational Information Coordinating Committee (NOICC), State directors of vocational education, the Committee on Evaluation and Information Systems (CEIS), and national vocational education organizations and associations.
(3) The task force shall advise the Assistant Secretary concerning the development of comparative information elements and uniform definitions, methodologies to be used, group sample sizes, the frequency with which data and in this section

are to be collected, and appropriate uses of data and information.
(c) The data system established by the Assistant Secretary with the advice of the task force shall establish linkages between the data system and evaluations, State plans, performance reports, and local applications required by this Act to facilitate quality use of the data by Federal, State, and local administrators.
(d)(1)(A) In maintaining and updating the data system, the Assistant Secretary shall endeavor to the fullest extent feasible to make use of other National Center for Education Statistics data collection systems in order to allow for comparability of data across educational programs and to reduce the burden on States for duplicative data collection efforts.
(B) The Administrator of the National Center for Education Statistics shall provide all necessary assistance to the Assistant Secretary in carrying out the provisions of this section.
(C) The Assistant Secretary shall endeavor to the fullest extent feasible to make the system compatible with the occupational information system established pursuant to section 422 of this Act, with the vocational data systems authorized under section 161(a) of the Vocational Education Act of 1963, with other systems developed or assisted under the Job Training Partnership Act, and with information collected pursuant to the Education of the Handicapped Act.
(2) Any State recieving assistance under this Act shall cooperate with the Assistant Secretary in supplying the information required to be submitted by the Assistant Secretary. Each State shall submit the data required to carry out this subsection to the Assistant Secretary in a format developed by the Assistant Secretary with the advice of the task force.
(3) The Assistant Secretary shall review and update the National Vocational Education Data System in conjunction with the task force every two years and prepare acquisition plans of data for operating the system. In carrying out the requirements under this paragraph, the Assistant Secretary shall use methodologies developed in conjunction with the task force to ensure comparisons with the general student population and across program areas, except that the information with respect to handicapped students shall be furnished in accordance with section 423 of this Act.
(4) The Assistant Secretary may conduct special studies on vocational education programs to answer specific questions regarding the enrollment and participation of special populations, the success of occupationally specific instruction programs to fulfil workplace needs, and other similar subjects which the Assistant Secretary deems appropriate.
(e) In carrying out responsibilities under this section, the Assistant Secretary shall cooperate with the Secretary of Labor in implementing section 463 of the Job Training Partnership Act to ensure that the data system operated under this section is compatible with and complementary to other occupational supply and demand information systems developed or maintained with Federal assistance.
(f) The Assistant Secretary shall prepare an annual report on the operation and findings of the National Vocational Education Data System to be distributed to the States and included as part of the Annual Report by the Secretary of Education to the Congress on the Status of Vocational Education, submitted on the last day of each fiscal year.
(g) Of the amounts available pursuant to section 3(f) for each fiscal year for this part, there shall be available in each fiscal year not less then $10,000,000 to carry out the provisions of this section. Of such amounts, not less then 75 percent shall be distributed equitably among the States to assist States in providing data and information relative to the purposes of this section. The Assistant Secretary may retain up to 25 percent of such amounts to enable the task force to carry out its purposes under this part and for discretionary use pursuant to the purposes of subparagraph (d)(4) of this section.

Occupational Information System

Sec. 422(a) There is established a National Occupational Information Coordinating Committee which shall consist of the Assistant Secretary for Vocational and Adult Education, the Commissioner of the Rehabilitative Services Administration, the Director of the Office of Bilingual Education and Minority Language Affairs, and the Administrator of the National Center for Education Statistics of the Department of Education, the Commissioner of Labor Statistics and the Assistant Secretary for Employment and Training of the Department of Labor, the Undersecretary for Small Community and Rural Development of the Department of Agriculture, the Assistant Secretary for Economic Development of the Department of Commerce, and the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics). The Committee, with funds available to it under this section [451], shall provide funds, on an annual basis, to State occupational information coordinating committees and to eligible recipients and shall--
(1) in the use of program data and employment data, improve coordination and communication among administrators and planners of programs authorized by this Act and by the Job Training Partnership Act, employment security agency administrators, research personnel, and personnel of employment and training planning and administering agencies (including apprenticeship training agencies) at the Federal, State, and local levels;
(2) develop and implement, in cooperation with State and local agencies, an occupational information system to meet the common occupational information needs of vocational education programs and employment and training programs at the national, State, and local levels, which system shall include data on occupational demand and supply based on uniform definitions, standardized estimating procedures, and standardized occupational classifications.
(3) conduct studies on the effects of technological change on new and existing occupational areas and the required changes in knowledge and job skills; [and]
(4) develop and implement a labor market data base which is representative of actual jobs, new jobs, replacements, and trends; and
[4] (5) assist State occupational information coordinating committees established pursuant to subsection (b).
(b) Each State receiving assistance under this Act shall establish a State occupational information coordinating committee composed of representatives of the State board, the State employment security agency, the State economic development agency, the

State job training coordinating council, and the agency administering the vocational rehabilitation program. Such committee shall, with funds available to it from the National Occupational Information Coordinating Committee established pursuant to subsection (a)--

(A) implement an occupational information system in the State which will meet the common needs for the planning for, and the operation of, programs of the State board assisted under this Act and of the administering agencies under the Job Training Partnership Act; and

(B) use the occupational information system to implement a career information delivery system.

(c) Of the amounts available pursuant to section 3(f) for each fiscal year for this part, there shall be available in each fiscal year not less than $6,000,000 to carry out the provisions of this section. Of such amounts available for the purposes of this section, not less than 75 percent shall be used by the National Occupational Information Coordinating Committee to support State occupational information coordinating committees for carrying out State occupational information systems and career information delivery systems.

Information Base for Vocational Education Data System

Sec. 423 The **Assistant** Secretary shall assure that adequate information on the access to vocational education programs by handicapped secondary school students be included in the national vocational education data system, required by section 161 of the Vocational Education Act of 1963 and by this part, for the biennial survey. The information base for the biennial survey for the handicapped shall be in 4-digit detail as defined in A Classification of Instructional Programs published by the National Center for Educational Statistics. The survey shall include information with respect to total handicapped enrollment by program, by type of instructional setting, and by type of handicapping condition.

National Network for Curriculum Coordinationin Vocational and Technical Education

Sec. 424(a) From the sums allocated to carry out this section, the Assistant Secretary shall establish through grants or contracts a National Network for Curriculum Coordination in Vocational and Technical Education consisting of six regional curriculum coordination centers. The Network shall encourage the designation of a state liaison representative in each of the States. It shall be the purpose of the Network to:

(1) provide leadership and technical assistance in vocational and technical education curriculum design, development, and dissemination;

(2) coordinate vocational and technical education curriculum information sharing among all the states and territories;

(3) reduce duplication of effort in vocational and technical education curriculum development activities among the states and territories; and

(4) promote the use of vocational and technical education curriculum research findings.

(b) Of the amounts available pursuant to section 3(f) for any fiscal year for this part, there shall be available in each fiscal year not less than $1,000,000 to carry out the purposes of this section.

Part D--National Council on Vocational Education

Council Established

Sec. 431(a)(1) There is established the National Council on Vocational Education. The Council shall consist of 17 members appointed by the President of whom 9 shall be representative of the private sector.

(2) The members of the Council shall serve for such terms as the President may prescribe. Members of the Council shall be individuals who are owners, chief executives or chief operating officers of private business concerns, private for profit and nonprofit health and educational institutions and executives of business concerns and business associations who have substantial management and policy responsibility including agriculture, small business, and organized labor, except that at least one member shall be a nonpublic member appointed from among members of the National Commission for Employment Policy established under the Job Training Partnership Act, **at least one member shall be enrolled as a student in a secondary or postsecondary vocational education program and be an active participant in a vocational student organization,** and at least 3 members shall be individuals with broad experience in education and human resources development.

(3) The Chairperson of the Council shall be selected by the President. The Council shall meet not fewer than 4 times each year at the call of the Chairperson. A majority of the members of the Council shall constitute a quorum (but a lesser number may conduct hearings on behalf of the Council), and recommendations may be made, or other actions taken, only by a majority of the members present.

(b) The Council shall advise the President, Congress, and the **Assistant** Secretary on--

(1) the effectiveness of this Act or its implementation in achieving the stated purposes of this Act and in providing students with skills that meet needs of employers;

(2) strategies for increasing cooperation between business and vocational education, **including worksite programs such as**

cooperative education, so that training is available for new technologies for which there is a demand;
(3) practical approaches to retraining adult workers, and to enhancing education, business, and labor cooperation in retraining efforts; (4) effective ways of providing access to information regarding the market demand for skills that will enable State and local personnel to develop responsive vocational education curricula;
(5) the vocational education needs of the handicapped and the level of participation of the handicapped in vocational education programs; and
(6) the implementation of this Act and the Job Training Partnership Act, and policies needed to expand and improve vocational-technical education programs (and apprenticeship programs) in order to build a coordinated capacity to adequately prepare America's work force for employment.
(c) Subject to such rules and regulations as may be adopted by the Council, the Chairperson is authorized to--
(1) prescribe such rules and regulations as may be necessary for conducting the business of the Council;
(2) appoint and fix the compensation of such personnel as the Chairperson considers necessary (including not to exceed five professional personnel), and appoint (with the approval of the Council) a Director, who shall be the chief executive officer of the Council and perform such duties as are prescribed by the Chairperson;
(3) procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code;
(4) accept voluntary and uncompensated services of professional personnel, consultants, and experts, notwithstanding any other provision of the law;
(5) accept in the name of the United States and employ or dispose of gifts or bequests to carry out the functions of the Council under this section;
(6) enter into contracts and grants and make such other arrangements and modifications, as may be necessary;
(7) conduct such hearings, studies, and research activities as the Council deems necessary to enable it to carry out its functions under this section;
(8) use the services, personnel, facilities, and information of any department, agency, or instrumentality of the executive branch of the Federal Government and the services, personnel, facilities, and information of State and local public
agencies and private agencies and organizations, with the consent of such agencies, with or without reimbursement therefor; and
(9) make advance, progress, and other payments necessary under this section without regard to the provisions of section 3648 of the Revised Statutes (31 U.S.C. 529).
(d) Upon request made by the Chairperson of the Council, each department, agency, and instrumentality of the executive branch of the Federal Government is authorized and directed to make its services, personnel, facilities, and information available to the greatest practicable extent to the Council in the performance of its functions under this section.
(e) The Council may establish working groups on occupational competencies to provide the Assistant Secretary, the President, the Congress, and the States with current information on the types and levels of occupational competencies necessary for entry and sustained productive employment in given jobs or industries, including levels of skills required, and equipment, methods, and facilities needed for the occupation. The Council may establish working groups for the occupations the Council considers important or necessary and may reconstitute such groups as occupational priorities are revised. Members of the working groups shall be appointed by the Council on the advice of national trade and professional associations and labor organizations. Working group members shall be individuals with specific knowledge in the technology and practice of the occupations relevant to the task of the group. The Council may provide the results and recommendations of the working groups to each State council on vocational education and other appropriate State agencies.
(f) The Council may use funds available for this part to obtain the services of staff specialists for working groups who have demonstrated technical skills and instructional ability in the occupations in question.
(g) The Council shall make a report of its findings and recommendations to the President, the Congress, and the Assistant Secretary every second year, and may make such interim reports and recommendations as the Council may consider desirable. The Council shall include in such reports the manner in which the competency statements provided by the Council have been used by the States. The Council may include in such reports its evaluation of the status, progress, and needs of vocational education (including recommendations for Federal legislation and appropriations). Each such report shall include any minority, dissenting, or supplementary view submitted by any member of the Council.

Part E--Bilingual and Limited English Proficiency Vocational Training

Findings and Purpose

Sec. 440(a) The Congress finds that--
(1) persons with limited English proficiency comprise a significant and ever growing portion of our national population;
(2) with their language, cultural diversity, and strong work ethic, limited English proficient persons represent a valuable resource for this country's future productivity, competitiveness, and defense;
(3) one of ten Americans aged 5 and older, representing more than 23 million people, speak a language other than English at home;
(4) minorities and immigrants will comprise the largest share of new entrants into the labor force between now and the year 2000;
(5) in the last census, only 21 percent of limited English proficient adults aged 25 and older were high school graduates, compared to 69 percent for persons who spoke only English;
(6) the unemployment rate of limited English proficient adults 16 years old and older is almost twice that of the general

population;
(7) vocational education can play an important role in assisting persons with limited English proficiency become self-sufficient and productive workers;
(8) although gains are being made, persons with limited English proficiency are still critically under represented in education and vocational education and training programs; and
(9) if access and equality of educational opportunity are to be ensured for limited English proficient populations, special vocational education and training programs, targeted to need, must be provided which address the barriers imposed by cultural and language differences.
(b) It is therefore the purpose of this part--
(1) to provide direct and targeted assistance for necessary programs and services for persons with limited English proficiency to ensure their access to and successful participation in vocational education and training programs;
(2) to develop technical assistance and staff development capacity, including recruitment of instructors and staff with bilingual skills or experience in teaching persons with limited English proficiency, within State vocational education departments to better assist local programs serving persons with limited English proficiency; and
(3) to develop, evaluate, and disseminate information regarding model vocational education and training programs, suitable for replication, designed to assist persons with limited English proficiency.

Subpart 1 – Bilingual Vocational Training

Program Authorized

Sec. 441.(a)(1) From **20 percent of** the sums made available to carry out this [section] **part** in each fiscal year under section 3[(d)] **(b)**, the **Assistant** Secretary is authorized to make grants to and to enter into contracts with appropriate State agencies, local educational agencies, postsecondary educational institutions, private nonprofit vocational training institutions, and other nonprofit organizations specially created to serve individuals who normally use a language other than English, [for] **Of such sums as are available for this subpart, a portion shall be used for** bilingual vocational education and training for individuals with limited English proficiency to prepare such individuals for jobs in recognized occupations and new and emerging occupations. Such training shall include instruction in the English language to ensure that participants in such training will be equipped to pursue such occupations in an English language environment. The **Assistant** Secretary may also enter into contracts with private for-profit agencies and organizations for bilingual vocational education and training programs.
(2) Grants and contracts under this subsection may be used for--
(A) bilingual vocational training programs for individuals who have completed or left elementary or secondary school and who are available for education in a postsecondary educational institution;
(B) bilingual vocational education and training programs for individuals who have already entered the labor market and who desire or need training or retraining to achieve year-round employment, adjust to changing manpower needs, expand their range of skills, or advance in employment; and
(C) training allowances for participants in bilingual vocational training programs.
(b)(1) [From the sums made available to carry out this section, the Secretary is authorized to make grants to and to enter into contracts with State agencies and public and private nonprofit educational institutions and to enter into contracts with private for-profit educational institutions to assist such entities in conducting] **Of such sums as are available for this subpart, a portion shall be used for** training for instructors **and staff** of bilingual vocational education and training programs.
(2) Grants and contracts under this subsection may be used for--
(A) pre-service and in-service training for instructors, aides, **career guidance and vocational** counselors, or other ancillary personnel **and staff** participating or preparing to participate in bilingual vocational training programs **serving individuals with limited English proficiency;** and
(B) fellowships and traineeships for individuals participating in pre-service or in-service training.
(3) The **Assistant** Secretary may not make a grant or enter into a contract under this subsection unless the **Assistant** Secretary determines that the applicant has an ongoing vocational training program in the field in which participants will be trained and can provide instructors with adequate language capabilities in the language other than English to be used in the program.
(c)(1) [From the sums made available to carry out this section, the **Assistant** Secretary is authorized to make grants to and to enter into contracts with State agencies, educational institutions, and appropriate nonprofit organizations, and to enter into contracts with private for-profit organizations and individuals, to assist in] **Of such sums as are available for this subpart, a portion shall be used for** the development of instructional and curriculum materials, methods, or techniques for bilingual vocational training.
(2) Grants and contracts under this subsection may be used for--
(A) research in bilingual vocational training;
(B) training programs to familiarize State agencies and training institutions with research findings and with successful pilot and demonstration projects in bilingual vocational education and training; and
(C) experimental, developmental, pilot, and demonstration projects.
(d)(1) Any eligible entity which desires to receive a grant from the **Assistant** Secretary under subsection (a), (b), or (c) shall submit an application to the **Assistant** Secretary in such form, at such times, and accompanied by such information as the **Assistant** Secretary may require. Such application shall provide that the activities and services for which assistance is sought will be administered by or under the supervision of the applicant.
(2) An application pursuant to subsection (a) shall (A) set forth a program of such size, scope, and design as will make a substan-

tial contribution toward
carrying out the purposes of this section, and (B) be submitted to the State board or agency under section [111] **121** for review and comment. Any such comments shall be included for submission to the **Assistant** Secretary.
(3) An application pursuant to subsection (c) shall set forth the qualifications of staff responsible for any such program.
(4) An application pursuant to subsection (b) shall--
(A) describe the capabilities of the applicant (including vocational training or education courses offered by the applicant, accreditation, and any certification of courses by appropriate State agencies);
(B) describe the qualifications of principal staff responsible for any program under subsection (b); and
(C) describe minimum qualifications for individuals participating or to participate in any program, describe the selection process for such individuals, and the projected amount of the fellowships or traineeships, if any.
(5) Prior to making grants or contracts under subsection (a) or (b), the **Assistant** Secretary shall consult with the State board under section [111] **121** to ensure an equitable distribution of assistance among populations of individuals with limited English proficiency within the State.
(6) The **Assistant** Secretary may approve an application for assistance under this [section] **subpart** only if the application meets the requirements set forth under this [section] **subpart**. An amendment to an application shall, except as the Assistant Secretary may otherwise provide, be subject to approval in the same manner as the initial application.
(e)(1) The **Assistant** Secretary shall administer programs under this [section] **subpart** in consultation with the Secretary of Labor.
(2) Programs of bilingual vocational education and training under this [section] **subpart** in the Commonwealth of Puerto Rico may provide for the needs of students of limited Spanish proficiency.
(3) The [Secretary of Education] **Assistant Secretary**, in consultation with the Secretary of Labor, shall gather and disseminate information concerning the status of bilingual vocational education in all geographic regions and shall evaluate the impact of bilingual vocational education on occupational shortages of skilled workers, the unemployment or underemployment of individuals with limited English proficiency, and the ability of such individuals to acquire sufficient job skills and English language skills to fully contribute to the economy. The [Secretary of Education] **Assistant Secretary** and the Secretary of Labor shall annually report their findings to the President and the Congress.
(f)(1) For each fiscal year, not less than 75 per centum of sums appropriated for the purposes of this [section] **subpart** shall be available only for grants and contracts under subsection (a).
(2) For each fiscal year, not less than 15 per centum of the sums appropriated for the purposes of this [section] **subpart** shall be available only for grants and contracts under subsection (b).
(3) For each fiscal year, not less than 10 per centum of sums appropriated for the purposes of this [section] **subpart** shall be available only for grants and contracts under subsection (c).

Subpart 2--Targeted Assistance for Persons with Limited English Proficiency

Program authorized

Sec. 442(a) From 80 percent of the sums made available to carry out this part in each fiscal year under section 3(h),
the Assistant Secretary shall allot to each State for each fiscal year an amount which bears the same ratio to such sums as the population of linguistic minorities in such State, according to the most recent census data, bears to the population of linguistic minorities in all States. Up to 7 percent of such amount shall be available for State administration of programs carried out pursuant to this subpart.
(b) Any State desiring to receive funds from its allotment for any fiscal year shall include an application as a part of its State plan submitted pursuant to section 123 of this act. The State board shall conduct public hearings in the State, after appropriate and sufficient notice, for the purpose of affording all segments of the public, but especially organizations and groups representing linguistic minorities, an opportunity to present their views and make recommendations regarding the application. A summary of such recommendations and the State board's response shall be included with the application.
(c) In developing the State application, the State shall--
(1) provide assurances that the State will provide leadership, supervision, and resources for assuring access to vocational education and training programs by individuals with limited English proficiency and, as a component of such assurances, further assure that, for each fiscal year, expenditures from allotments for Title II for limited English proficient programs and bilingual vocational training will not be less than the expenditures for such programs and training in the State for the fiscal year 1988;
(2) include enrollment information regarding the limited English proficient within the State, by specific occupational programs, by grade level, completers and leavers, and state and local expenditures on the limited English proficient;
(3) provide assurances that the State will provide technical assistance to local programs serving the limited English proficient at the secondary, postsecondary, and adult levels; and
(4) provide assurances that the State will evaluate programs funded under this subpart in terms of their success in meeting stated objectives and their appropriateness for statewide and national replication.
(d) From sums made available to carry out this subpart in each fiscal year, States are authorized to make grants and to enter into contracts with appropriate State agencies, local educational agencies, postsecondary educational institutions, private nonprofit vocational training institutions, and other nonprofit organizations specially created to serve persons with limited English proficiency.
(e) Grants and contracts under this subpart may be used for the development of model programs potentially suitable for

statewide or national replication serving persons with limited English proficiency, including--
(1) vocational education, training, and worksite programs, including bilingual programs, which integrate instruction in the English language into the curriculum or training program to ensure that students or participants in such training will be equipped to pursue work in an English language environment;
(2) business-industry-labor-education partnership programs which encourage private employer participation in the design and implementation of cost-effective, technology-based worksite training programs for young, limited English proficient individuals;
(3) vocational skill training for finding and keeping a job, designed specifically for persons with limited English proficiency;
(4) programs which provide increased access to vocational education and training programs and appropriate support services for those persons with limited English proficiency;
(5) special services which address the barriers imposed by cultural and language differences;
(6) staff development and leadership training, including activities to improve the recruitment of linguistic minorities and the preparation of vocational personnel to work with the limited English proficient;
(7) programs, in cooperation with the State sex-equity coordinator established by section 121 of this act, to assure access and equality of opportunity to linguistic minority women;
(8) programs to create and strengthen collaborative efforts linking vocational education and training programs with bilingual education, adult literacy, career guidance and vocational counseling, and human service providers to better serve those persons with limited English proficiency; and
(9) transitional education skills programs which teach vocational specific language, literacy, and math skills to prepare limited English proficient persons for entry into vocational education.

[Part F--General Provisions]

[Distribution of Assistance]

[Sec. 451(a) Subject to the provisions of subsection (b), of the amounts available pursuant to section 3(e) for any fiscal year for this title--
(1) 35 percent shall be available for Part A relating to research;
(2) 35 percent shall be available for part B, relating to demonstration projects; and
(3) 30 percent shall be available for Part C, relating to vocational education in occupational information data systems.
(b) Notwithstanding the provisions of subsection (a)--
(1) there shall be available in each fiscal year not less than $6,000,000 to carry out the provisions of section 404, relating to the National Center for Research;
(2) there shall be available for each fiscal year not less than $3,500,000 for the purpose of carrying out section 422, relating to the occupational information system; and
(3) there shall be available in each fiscal year $500,000 for the purpose of carrying out part D, relating to the National Council.]

TITLE V – GENERAL PROVISIONS

Part A--Federal Administrative Provision

Payments

Sec. 501(a) The **Assistant** Secretary shall pay from its allotment under section [101] **111** to each State for any fiscal year for which the State has a State plan approved in accordance with section [114] **124** (including any amendment to such plan) the Federal share of the costs of carrying out the State plan.
(b) The **Assistant** Secretary shall pay to each State council of a State which has a State plan approved in accordance with section [114] **124**, from its allotment under section [112] **122**(f), an amount equal to the reasonable amounts expended by the State council in carrying out its functions under this Act in such fiscal year.

Federal Share

Sec. 502(a) The Federal share for each fiscal year shall not exceed--
(1) 50 percent of the costs of administration of the State plan;
(2) 50 percent of the costs of administration of vocational education services and activities of eligible recipients;
(3)(A) 50 percent of the costs of vocational education services and activities under part A of title II for individuals described in clauses (1), (2), and (3) of section 201(b);
(B) 100 percent of the costs of vocational education programs, services, and activities under part A of title II for individuals described in clauses (4), (5), and (6) of section 201(b);
(4) 50 percent of the costs of vocational education improvement, innovation, and expansion programs under part B of title II;
(5) 100 percent of the costs of the State council under section [112] **122**;
(6) 100 percent of the costs to carry out the provisions of section [111] **121**(b)(3); and
(7) except as otherwise provided, 100 percent of the costs of programs under title III.
(b) The non-Federal contribution for the costs of vocational education programs, services, and activities for the handicapped and the disadvantaged under part A of title II shall be furnished [equitably] **in aggregate** by the State from State and local sources **(including private sector and third-party contributions)**, except that the non-Federal contributions of such costs shall be furnished by the State from State sources if the State board determines that an eligible recipient cannot reasonably be expected to provide such costs from local sources. The non-Federal contributions for the costs of vocational education programs, services, and activities for the disadvantaged from **State and** local sources **(including private sector and third-party contributions)** may be in cash or in kind, fairly valued, including facilities, overhead, personnel, equipment, and services, if the eligible recipient determines that it cannot otherwise provide such contribution.

Maintenance of Effort

Sec. 503(a) No payments shall be made under this Act for any fiscal year to a State unless the **Assistant** Secretary determines that the fiscal effort per student or the aggregate expenditures of such State for vocational education for the fiscal year preceding the fiscal year for which the determination is made, equaled or exceeded such effort or expenditures for vocational education for the second preceding fiscal year.
(b) The **Assistant** Secretary may waive the requirements of this section for one fiscal year only, upon making a determination that such waiver would be equitable due to exceptional or uncontrollable circumstances affecting the ability of the applicant to meet such requirements, such as a natural disaster or an unforeseen and precipitous decline in financial resources. No level of funding permitted under such a waiver may be used as the basis for computing the fiscal effort required under this section for years subsequent to the year covered by such waiver; such fiscal effort shall be computed on the basis of the level of funding which would, but for such waiver, have been required.

Withholding Judicial Review

Sec. 504(a) Whenever the **Assistant** Secretary, after reasonable notice and opportunity for hearing to the State board, finds that--
(1) The State plan approved under section [114] **124** has been so changed that it no longer complies with the provisions of this Act; or
(2) in the administration of the State plan or of programs conducted pursuant to it there is a failure to comply substantially with any such provision, the **Assistant** Secretary shall notify such State board that no further payments will be made to the State under this Act (or, further payments to this State will be limited to programs under or portions of the State plan not affected by such failure) until satisfied that there will no longer be any failure to comply. Until so satisfied, the **Assistant** Secretary shall make no further payments to such State under this Act (or shall limit payments to programs under, or portions of, the State plan not affected by such failure).
(b) A State board which is dissatisfied with the final action of the **Assistant** Secretary under this section may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such

final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Assistant Secretary, or any officer designated by him for that purpose.
The Assistant Secretary thereupon shall file in the court the record of the proceedings on which action is based, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Assistant Secretary or to set aside such action, in whole or in part, temporarily or permanently, but until the filing of the record, the Assistant Secretary may modify or set aside his action. The findings of the Assistant Secretary as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Assistant Secretary to take further evidence, and the Assistant Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Assistant Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari certification as provided in section 1254 of title 28, United State Code. The commencement of proceedings under this subsection shall, unless specifically ordered otherwise by the court, operate as a stay of the Assistant Secretary's action.
(c)(1) If any eligible recipient is dissatisfied with the final action of the State board or other appropriate State administering agency with respect to approval of its local application, such eligible recipient may, within sixty days after such final action or notice thereof, whichever is later, file with the United States court of appeals for the circuit in which the State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the State board or other appropriate State administering agency. The State board or such other agency thereupon shall file in the court the record of the proceeding on which the State board or such other agency based its action, as provided in section 2112 of title 28, United States Code.
(2) The findings of fact by the State board or other appropriate administering agency, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the State board or such other agency to take further evidence, and the State board or such other agency may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings.
(3) The court shall have jurisdiction to affirm the action of the State board or other appropriate administering agency or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari certification as provided in section 1254 of title 28, United State Code.
(d)(1) The Assistant Secretary shall prescribe and implement rules to assure that any hearing conducted under section 434(c) of the General Education Provisions Act in connection with funds made available from appropriations under this Act shall be held within the State of the affected unit of local government or geographic area within the State.
(2) For the purposes of paragraph (1)--
(A) the term "unit of local government" means a county, municipality, town, township, village, or other unit of general government below the State level; and
(B) the term "geographic area within a State" means a special purpose district or other region recognized for governmental purposes within such State which is not a unit of local government.

Audits

Sec. 505 Each State shall obtain financial and compliance audits of any funds which the State receives under this Act. Such audits shall be made public within the State on a timely basis. Audits shall be conducted at least every two years and shall be conducted in accordance with the Comptroller General's Standard for Audit of Governmental Organizations, Programs, Activities, and Functions.

Authority to Make Payments

Sec. 506. Any authority to make payments or to enter into contracts under this Act shall be available only to such extent or in such amounts as are provided in advance appropriation Acts.

Part B--Definitions

Definitions

Sec. 521. As used in this Act:
(1) The term ["Administration"] "administration" means activities of a State necessary for the proper and efficient performance of its duties under this Act, including supervision, but does not include curriculum development activities, personnel development, technical assistance, or research activities.
(2) The term "apprenticeship training program" means a program registered with the Department of Labor or the State apprenticeship agency in accordance with the Act of August 16, 1937, known as the National Apprenticeship Act, which is conducted or sponsored by an employer, a group of employers, or a joint apprenticeship committee representing both employers and a union, and which contains all terms and conditions for the qualification, recruitment, selection, employment, and training of apprentices.
(3) The term "area vocational education school" means--
(A) a specialized high school used exclusively or principally for the provision of vocational education to individuals who are available for study in preparation for entering the labor market;

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(B) the department of a high school exclusively or principally used for providing vocational education in no less than five different occupational fields to individuals who are available for study in preparation for entering the labor market;
(C) a technical institute or vocational school used exclusively or principally for the provision of vocational education to individuals who have completed or left high school and who are available for study in preparation for entering the labor market; or
(D) the department or division of a junior college or community college or university operating under the policies of the State board and which provides vocational education in no less than five different occupational fields leading to immediate employment but not necessarily leading to a baccalaureate degree, if, in the case of a school, department, or division described in subparagraph (C) or this subparagraph, it admits as regular students both individuals who have completed high school and individuals who have left high school.
(4) The term "career guidance and **vocational** counseling" means those programs (A) which pertain to the body of subject matter and related techniques and methods organized for the development in individuals of career awareness, career planning, career decisionmaking, placement skills, and knowledge and understanding of local, State, and national occupational, educational, and labor market needs, trends, and opportunities, and (B) which assist them in making and implementing informed educational and occupational choices.
(5) The term "community-based organization" means any such organization of demonstrated effectiveness described in section 4(5) of the Job Training Partnership Act.
(6) The term "construction" includes construction of new buildings and acquisition, and expansion, remodeling, and alteration of existing buildings, and includes site grading and improvement and architect fees.
(7) The term "cooperative education" means a method of instruction of vocational education for individuals who, through written cooperative arrangements between the school and employers, receive instruction, including required academic courses and related vocational instruction by alternation of study in school with a job in any occupational field, but the two experiences must be planned and supervised by the school and employers so that each contributes to the student's education and to his or her employability. Work periods and school attendance may be on alternate half days, full days, weeks, or other periods of time in fulfilling the cooperative program. **Student employment shall be compensated in conformity with Federal, State, and local laws, unless a waiver for compensation is justified and approved by the Assistant Secretary.**
(8) The term "criminal offender" means any individual who is charged with or convicted of any criminal **or delinquent** offense, including a youth offender or a juvenile offender.
(9) The term "correctional institution" means any--
(A) prison,
(B) jail,
(C) reformatory,
(D) work farm,
(E) detention center, or
(F) halfway house, community-based rehabilitation center, or any other similar institution designed for the confinement or rehabilitation of criminal **or delinquent** offenders.
(10) The term "Council" means the National Council on Vocational Education.
(11) The term "curriculum materials" means instructional and related or supportive material, including materials using advanced learning technology, in any occupational field which is designed to strengthen the academic foundation and prepare individuals for employment at the entry level or to upgrade occupational competencies of those previously or presently employed in any occupational field, and appropriate **vocational** counseling and **career** guidance material.
(12) The term "disadvantaged" means individuals (other than handicapped individuals) who have economic or academic disadvantages and who require special services and assistance in order to enable them to succeed in vocational education programs. Such term includes individuals who are members of economically disadvantaged families, migrants, individuals who have limited English proficiency, **foster care youth making the transition to independent living,** and individuals who are dropouts from, or who are identified as potential dropouts from, secondary school.
(13) The term "economically depressed area" means an economically integrated area within any State in which a chronically low level of economic activity or a deteriorating economic base has caused such adverse effects as (A) a rate of unemployment which has exceeded by 50 per centum or more the average rate of unemployment in the State, or in the Nation, for each of the three years preceding the year for which such designation is made, or (B) a large concentration of low-income families, and for which such designation for the purposes of this Act is approved by the **Assistant** Secretary as consistent with these and such other criteria as may be prescribed and with the purposes of this Act.
(14) The term "eligible recipient" means a local educational agency or a postsecondary educational institution.
(15) The term "handicapped", when applied to individuals, means individuals who are mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, orthopedically impaired, or other health impaired persons, or persons with specific learning disabilities, who by reason thereof require special education and related services, and who, because of their handicapping condition, cannot succeed in the regular vocational education program without special education assistance.
(16) The term "high technology" means state-of-the-art computer, microelectronic, hydraulic, pneumatic, laser, nuclear, chemical, telecommunication, and other technologies being used to enhance productivity in manufacturing, communication, transportation, agriculture, mining, energy, commercial, and similar economic activity, and to improve the provision of health care.
(17) The term "homemaker" means an individual who--
(A) is an adult, and
(B) has worked as an adult primarily without remuneration to care for the home and family, and for that reason has diminished

marketable skills. The Assistant Secretary may not prescribe the manner in which the States will comply with the application of the definition contained in this paragraph.
(18) The term "limited English proficiency" has the meaning given such term in section 703(a)(1) of the Elementary and Secondary Education Act of 1965.
(19) The term "local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or political subdivision in a State, or any other public
educational institution or agency having administrative control and direction of a vocational education program.
(20) The term "economically disadvantaged family or individual" means such families or individuals who are determined by the Assistant Secretary to be low-income according to the latest available data from the Department of Commerce.
(21) The term "postsecondary educational institution" means an institution legally authorized to provide postsecondary education within a State, or any postsecondary educational institution operated by or on behalf of any Indian tribe which is eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-Determination Act or under the Act of April 16, 1934 **and the term "postsecondary education" means vocational education for persons who have completed or left high school and who are enrolled in organized programs of study for which credit is given toward an associate or other degree, but which programs are not designed as baccalaureate or higher degree programs.**
(22) The term "private vocational training institution" means a business or trade school, or technical institution or other technical or vocational school, in any State, which (A) admits as regular students only persons who have completed or left elementary or secondary school and who have the ability to benefit from the training offered by such institution; (B) is legally authorized to provide, and provides within that State, a program of postsecondary vocational or technical education designed to fit individuals for useful employment in recognized occupations; (C) has been in existence for two years or has been specially accredited by the Assistant Secretary as an institution meeting the other requirements of this subsection; and (D) is accredited (i) by a nationally recognized accrediting agency or association listed by the Assistant Secretary pursuant to this clause, or (ii) if the Assistant Secretary determines that there is no nationally recognized accrediting agency or association qualified to accredit schools of a particular category, by a State agency listed by the Assistant Secretary pursuant to this clause, or (iii) if the Assistant Secretary determines that there is no nationally recognized or state agency or association qualified to accredit schools of a particular category, by an advisory committee appointed by the Assistant Secretary and composed of persons specially qualified to evaluate training provided by schools of that category, which committee shall prescribe the standards of content, scope, and quality which must be met by those schools and shall also determine whether particular schools meet those standards. For the purpose of this paragraph, the Assistant Secretary shall publish a list of nationally recognized accrediting agencies or associations and State agencies which the Assistant Secretary determines to be reliable authority as to the quality of education or training afforded.
(23) The term "school facilities" means classrooms and related facilities (including initial equipment) and interests in lands on which such facilities are constructed. Such term shall not include any facility intended primarily for events for which admission is to be charged to the general public.
(24) The term "Secretary" means the Secretary of Education **and the term "Assistant Secretary" means the Assistant Secretary for Vocational and Adult Education.**
(25) The term "single parent" means an individual who--
(A) is unmarried, **divorced,** or legally separated from a spouse, and
(B) has a minor child or children for which the parent has either custody or joint custody.
(26) The term "small business" means for-profit enterprises employing five hundred or fewer employees.
(27) The term "State" includes, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and **the Marshall Islands, Micronesia, and Palau.**
(28) The term "State board" means a State board designated or created by State law as the sole State agency responsible for the administration of vocational education, or for supervision of the administration of vocational education in the State.
(29) The term "State council" means the State council on vocational education established in accordance with section [112] **122.**
(30) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary or secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.
(31) The term "vocational education" means organized educational programs which are directly related to the preparation of individuals in paid or unpaid employment in such fields as agriculture, business occupations, home economics, health occupations, marketing and distributive occupations, technical and emerging occupations, [modern industrial and agriculture arts] **programs of industrial arts/technology education, programs of vocational agriculture education,** and trades and industrial occupations, or for additional preparation for a career in such fields, and in other occupations, requiring other than a baccalaureate or advanced degree and vocational student organization activities as an integral part of the program; and for purposes of this paragraph, the term "organized education program" means only (A) instruction (including career guidance and **vocational** counseling) related to the occupation or occupations for which the students are in training or instruction **(including cooperative education)** necessary for students to benefit from such training, and (B) the acquisition (including leasing), maintenance, and repair of instructional equipment, supplies, and teaching aids; but the terms do not mean the construction, acquisition, or initial equipment of buildings, or the acquisition or rental of land.
(32) The term "vocational student organizations" means those organizations for individuals enrolled in vocational education programs which engage in activities as an integral part of the instructional program. Such organizations may have State and national units which aggregate the work and purposes of instruction in vocational education at the local level.
(33) The term "prevocational" means any organized, sequential educational program which is directly related to the preparation of individuals for entry into vocational education programs.

Effective Date

Sec. 2(a) This Act shall take effect for fiscal years beginning on or after October 1, [1984] **1989**, except that the authority of the **Assistant** Secretary to prescribe regulations under this Act and the responsibility of States to submit State plans are effective upon the date of enactment of this Act.

(b) Not later than 90 days after the date of the enactment of this Act, the **Assistant** Secretary shall prescribe regulations for carrying out the provisions of this Act.

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